

STUDY SESSION

Location:	City Hall	Date:	October 17, 2012
	834 Main Street	Time:	6:30 PM
	Ferndale CA 95536	Posted: 10/10/11	

1. CALL STUDY SESSION TO ORDER – Chairman Jorgen Von Frausing Borch 6:30pm
 - a. Speaker: Representative from the Fire Safety Council
2. ADJOURN STUDY SESSION 7:00pm

AGENDA

**CITY OF FERNDAL – HUMBOLDT COUNTY CALIFORNIA – U.S.A.
REGULAR PLANNING COMMISSION MEETING**

Location:	City Hall	Date:	October 17, 2012
	834 Main Street	Time:	7:00pm Regular Meeting
	Ferndale CA 95536	Posted: 10/11/12	

The City endeavors to be ADA compliant. Should you require assistance with written information or access to the facility please call 786-4224 24 hours prior to the meeting.

- 1.0 Open meeting / flag salute / roll call
- 2.0 Update Agenda
 - 2.1 Proposed changes, modifications to agenda items
 - 2.2 Commissioners comments
- 3.0 Approval of previous minutes –September 19, 2012..... Page 2
- 4.0 Public Comment Page 3
- 5.0 Public Hearing None
- 6.0 Business
 - 6.1 Revised Permit Processes Page 4
 - 6.2 Safety Element Update Fire Hazards Chapter Page 22
 - 6.3 Safety Element Update Policy Examples Page 30
 - 6.4 Sign Ordinance: Approve updates to sections 1001 and 1002; approve sections 1004.1 and 1004.2..... Page 32
 - 6.5 Advertise for Planning Commission opening(s)..... Page 61
 - 6.6 Advertise for Design Review opening(s)..... Page 62
 - 6.7 Change date of November meeting Page 63
- 7.0 Correspondence and Oral Communications Page 64
- 8.0 City Planner’s and Deputy City Clerk’s Staff Reports Page 66
- 9.0 Design Review Minutes..... Page 68
- 10.0 Sign Committee Minutes None
- 11.0 Adjournment – Next regular meeting November 15, 2012 Page 68

Section 3: PREVIOUS MINUTES

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of September 19, 2012

Study Session: Vice Chair Dan Brown called the study session to order at 6:30pm. Present were Commissioners Uffe Christiansen and Lino Mogni along with staff City Planner George Williamson and City Clerk Nancy Kaytis-Slocum. Planner George Williamson explained that the city is working on the Safety Element of the General Plan, and that this section has to do with Flooding and Drainage Hazards. He introduced the guests Sherry Constancio, P.E.; Engineer, Water Resources, North Coast Flood Management Coordinator and Reginald Kennedy, Service Hydrologist, Meteorologist for the National Weather Service.

P.E. Sherry Constancio and Meteorologist Reginald Kennedy explained the roles of their organizations which include flooding of the Eel River, local warnings and impacts, weather patterns and flood forecasts. They also offer flood fight training. The handouts give computer websites, impact information and monitor/flood stages at Fernbridge.

Call to Order: Vice Chair Dan Brown called the Regular Planning Commission meeting to order at 7:20pm. Commissioners Uffe Christiansen and Lino Mogni along with staff City Planner George Williamson and City Clerk Nancy Kaytis-Slocum were present with Jorgen Von Frausing-Borch and Trevor Harper absent. Those in attendance pledged allegiance to the flag. MOTION: (Christiansen/Mogni). The August 29, 2012 minutes were unanimously approved.

Revocable Easement for E-Street: City Clerk Nancy Kaytis-Slocum explained that Mr. Hooley had retracted his request for a revocable easement and that he would be removing the fence on E Street by 11/15/12. Staff recommends no further action on this item.

Safety Element Update, Chapter 5.0, Flooding and Drainage Hazards: City Planner George Williamson will be adding some of the information we received from tonight's speakers to this section. He went over the chapter with the Commission and felt that the benefits of the Safety Element would be seen when policy and implementation is developed: educational materials will come out of this and preparation opportunities. In October, we will be dealing with Fire Hazards.

The next regular meeting will be October 17, 2012. The meeting was adjourned at 7:42PM.

Respectfully submitted,

Nancy Kaytis-Slocum
City Clerk

Section 4: PUBLIC COMMENT

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction.

Items requiring Commission action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rd of the Commission (three of the five members) that the item came up after the agenda was posted and is of an urgent nature requiring immediate action.

This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.

Please state your name and address for the record. (This is optional.)

Section 5: Public Hearing

None

Section 6: BUSINESS

Meeting Date:	October 17, 2012	Agenda Item Number	6.1
Agenda Item Title:	Revised Permit Application Processes		
Presented By:	Melanie Rheaume, Contract City Planner		
Type of Item:	Action	x	Discussion Information
Action Required:	Review and Discuss.		

RECOMMENDATION: Review and discuss the final drafts of the Design Review Use Permit, Secondary Dwelling Unit, and Home Occupation permit application processes (attached).

BACKGROUND:

The Historic District and Design Review Use Permit, Secondary Dwelling Unit, and Home Occupation Permit application processes are being updated to ensure consistency with the current Zoning Ordinance. The application process packets are posted on the City's website for easy access by applicants.

DISCUSSION:

The application packets for projects within both the Historic District and Design Review Zone are nearly identical in purpose and review procedures. The two were combined to clarify and streamline the review process. A draft of the combined application packets was brought before the Design Review Committee for the June 28 meeting. The Committee requested a copy of the revised application with staff suggested changes shown and explained. At the July 26 Design Review meeting, the Committee reviewed the revised Design Review Use Permit application packet with changes shown and explained. The Committee provided input at the meeting, including suggesting the following changes:

- Clarifying the definition of emergency and minor repairs;
- Revising the sentence "Consult with City Staff to determine if your project requires a Design Review Use Permit application" to reflect that staff does not make a determination but may help an applicant interpret the Zoning Ordinance.
- Retaining a list of application materials;
- Including photos in Application Materials and removing unnecessary items;
- Including verification that house number is visible from the street;
- Clarifying the CEQA process and order of responsibility;
- Informing applicant that all work conform to the approved plans;
- Inserting check boxes in packet; and
- Adding a step in the process for final review of completed project; and
- Adding a caveat explaining to the applicant that should they change their plans after a Design Review Use Permit is issued, they will need to resubmit the new plans to the Committee.

Taking the Committee's input into consideration, planning staff again revised the application process packet and brought it back before the Committee at the September 27 meeting. After making one more revision, the Committee approved the application packet and recommended it to the Planning Commission.

The Home Occupation Permit application process was revised to conform to Zoning Ordinance §7.11 Home Occupations (*altered by Ordinance 08-03*):

Home occupations, as defined herein, shall be permitted as appurtenant and accessory uses to any residential uses. If applicant complies with this section of the Zoning Ordinance, the permit will be issued administratively (over the counter).

The Secondary Dwelling Unit application process was revised to conform to Zoning Ordinance §7.21 Secondary Dwelling Units: Creation of New Secondary Dwelling Units (*amended by Ordinance 03-03 on July 14, 2003*):

Secondary Dwelling Unit permit shall be considered ministerially without discretionary review or a hearing.

The final drafts of the Design Review Use Permit, Secondary Dwelling Unit, and Home Occupation permit application processes are attached.

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**DESIGN REVIEW USE PERMIT
 APPLICATION PROCESS**

APPLICABILITY

Before any structure may be erected, structurally altered, or in any way remodeled or improved so as to change the outward appearance of the building within the Design Control Combining Zone (See City of Ferndale Land Use Zoning Map), a Design Review Use Permit shall be obtained.

Design Review is not required for

- Projects that will not change the external appearance of the structure.
- Structures not within Design Control Combining (-D) Zone.
- Emergency, minor, or routine repair that maintains the status quo or original design of the structure as defined in Sections 3.29 and 3.48 of the Ferndale Zoning Ordinance:

§3.29 Emergency Repairs: Repairs made to any structure, whether used for residential, commercial or other uses, in the immediate period following damage by earthquake, fire, wind, hail, or collision, provided that such repairs will bring the structure to its original design. Such repairs include: re-roofing, repairing fire damage, painting, re-painting, paint scraping, and replacing windows, drainpipes, railings, and small structural ornamentation.

§3.48 Minor Repair & Routine Maintenance: Such repair and maintenance which may include re-roofing; painting; re-painting, re-surfacing; paint scraping; replacement of windows; drainpipes, railings, and small structural ornamentation; and replacement of individual boards in a wooden porch with fresh identical lumber, if the status quo or original design is maintained.

Applicant should contact City Staff to confirm whether proposed project or repair meets requirements for a Design Review Use Permit.

**QUICK CHECK LIST FOR
 SUBMITTAL**

- Standard Application Form
- Plans and/or drawings
 - Photographic representation of site, structure, materials, etc
 - Verification that house number is visible from street
 - North arrow, scale
 - Entire parcel boundary with dimensions
 - Adjacent public and private streets and driveways
 - All existing and proposed buildings and site features (including significant trees and topographic features)
 - Elevations of proposed structure, design change, or addition to include type, dimensions and colors of materials
- Any changes to the project may trigger reassessment by the Design Review Committee
- Fee Deposit
- ___ Staff Initials
- ___ Applicant Initials

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PURPOSE

Section 6.05 of the Zoning Ordinance states that “the Design Control Combining or -D Zone is intended to be combined with any principal zone in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the zone for the uses permitted therein, and in which it is desired to protect the overall Victorian appearance of the zone by regulating the design of proposed buildings and structures in the zone. The following regulations shall apply in any zone with which a Design Control Combining or –D Zone is combined.”

Each application for such Design Review Use Permit shall be accompanied by drawings, plans and such written matter as may be necessary to show the front, side and rear elevations and the colors and materials to be used, and to show any other information that may be required by the Design Review Committee or Planning Commission in order that it may adequately evaluate the proposed structure or design.

Design Review Use Permit applications will be reviewed by the Design Review Committee (three members of the community and two members of the Planning Commission) who may approve applications without full Planning Commission approval. If a majority of the members present approve, the City Clerk shall issue a Design Review Use Permit. Any construction or structural alteration shall be in accordance with such approved proposal. If a majority of the members present deny, the applicant can change the design, or can ask that the application go to the Planning Commission at a fee as set by the Fees and Fines Schedule. If the Planning Commission denies the proposal, the applicant has the option of appealing the decision to the City Council, at a fee as set by the Fees and Fines Schedule.

HISTORIC DISTRICT CONSIDERATIONS

Any applications triggering Design Review for buildings within the Historical District or listed on the Historical Register must go through the CEQA process per California Code of Regulations, Article 5, §15064.5 “Determining the Significance of Impacts to Archeological and Historical Resources.” This may require a fee and/or deposit for the preparation of the required environmental review documents.

If the structure qualifies as a historic resource, and the proposed modifications comply with the Secretary of the Interior’s Standards (summary attached), the application will go to the Design Review Committee without a fee and is likely eligible for a categorical exemption under CEQA.

If the application does not comply with the Secretary of the Interior’s Standards, then a fee deposit will be required before the application goes to the Planner for environmental review.

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At any point in the following Design Review Use Permit process, the applicant may change their application to conform to the Secretary of the Interior's Standards for Rehabilitating Historic Properties (summary attached).

PROCESS

1. Pre-application Review (optional)

This is an optional step recommended by staff. This step can include a review of preliminary plans and/or a meeting with city staff. Staff may provide feedback in verbal and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

2. Application Completeness Check

- a. Applicant files application form and other information required and pays all required fees and deposits if any. Within 30 days of submission at City Hall, City Staff reviews application materials to determine whether the application includes all information required and is considered complete. City Staff may refer application materials to the City Engineer, or other staff, to obtain opinions regarding application completeness.
- b. If the application is deemed to be incomplete, City Staff will notify the applicant within the 30-day review period.
- c. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected.

3. Environmental Review

- a. Once the application is deemed complete, City Staff will review the project in accordance with the California Environmental Quality Act (CEQA) to determine if the project is statutorily or categorically exempt from CEQA. A fee deposit may be required for initial environmental review. If the project is exempt from CEQA, then no further environmental review is required. The project will be forwarded to the Design Review Committee.
- b. Qualified historic properties (listed or determined eligible for listing) will be reviewed for compliance with the Secretary of Interior's Standards for Treatment of Historic Properties and are eligible to use the California Historical Building Code (2007). If a project complies with the Secretary of Interior's Standards, the project may be exempt from CEQA review (Class 31 CEQA exemption). A summary of the Secretary of Interior's Standards is attached.
- c. If the project is NOT exempt from CEQA, then the required environmental document must be prepared and circulated for agency and

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public comment. A fee deposit is required for the preparation of an Initial Study, which will result in either:

- i. A fee deposit for preparation of a Negative Declaration or Mitigated Negative Declaration showing that your project will have less than significant impact on the environment, or
- ii. A large fee deposit for an Environmental Impact Report to be prepared

4. Application Processing

- a. Once environmental review is complete, City Staff will distribute application materials to Design Review Committee for their review at a regularly scheduled meeting. Applicants are encouraged to attend the meeting to answer possible questions.
- b. If a majority of the Committee members present approve, the City Clerk shall issue a Design Review Permit. The next step is to apply for a building permit for construction, if necessary. Any construction or renovation shall be in accordance with such approved proposal.
- c. If a majority of the members present deny, the applicant can change the design, or can ask that the application go to the Planning Commission at a fee as set by the Fees and Fines Schedule.
- d. City Staff notifies applicant of Design Review Committee action and initials/dates application form.

5. Formal Consideration by Planning Commission

- a. City Planner prepares a Project Report to the Planning Commission which includes, at a minimum, the following information:
 - Background information
 - Analysis of Application
 - Environmental Issues
 - Ordinance and Policy Issues
 - Recommendations a comments from other City staff and outside agencies
 - Recommendations for action
 - Environmental determination
 - Approval (may include conditions) or denial
- b. City Clerk or City Planner is responsible for reproduction and inclusion of project report in Planning Commissioners' agenda packets.
- c. Planning Commission considers application in conjunction with the appearance and design of other structures and/or buildings in the zone and suggests any changes or alterations in the proposed structure or building as it may deem necessary.

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- d. Upon approval of any proposal, the Planning Commission issues a Design Review Use Permit. Any construction or structural alteration shall be in accordance with such approved proposal.
 - e. Action by the Planning Commission is final, unless appealed to the City Council. Actions become effective following the mandatory 10-day appeal period.
 - f. City Staff makes note of any changes to recommended conditions which may occur at the meeting and provides written notification of Planning Commission action to the applicant.
6. Final Review
- a. Upon project completion, applicant will submit photographs of finished project to City Clerk. Photographs must fully and accurately represent entire scope of project, including visible representation of materials and colors used.
 - b. City Clerk files photographs with application packet and resubmits to Design Review Committee.
 - If Committee determines applicant adhered to approved plans, no further action is taken.
 - If Committee determines applicant deviated from approved plans, the permit shall be revoked and applicant must either apply for a new Design Review permit or fix the work to comply with the approved permit. In addition, the applicant may be fined up to \$500 and/or imprisoned for up to 6 months, as per Zoning Ordinance Section 2.03:

§2.03 Any person whether principal, agent, employee or otherwise, violating or causing or permitting the violation of any *one* of the provisions of these regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 per violation or by imprisonment for not more than 6 months or by both such fine and imprisonment.

APPEALS

The decision of the Planning Commission is final unless appealed by the applicant or other affected party to the City Council. Appeals must be made within 10 calendar days of the date of Planning Commission action, as set forth in Zoning Ordinance Article XI.

Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 days of staff's determination.

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APPLICATION REQUIREMENTS

A complete application consists of required forms, plans, and required fees and deposits, as described below.

- Standard Application Form
- Plans

Plans and materials may be required at staff's discretion. Such materials may include drawings, photographs, color swatches, and such written matter as may be necessary to show any information that may be required by the Design Review Committee or Planning Commission in order that it may adequately evaluate the current and proposed structure or design. To enable timely application review, the applicant should include as much information and visual aid in the application packet as necessary to show all aspects of the proposed project, including front, side and rear elevations and the colors and materials to be used, submitted on sheets no larger than 11" x 17". Use separate sheets if necessary.

Required materials may include:

- Photographic representation of site, structure, materials, etc.
 - North arrow, scale.
 - Entire parcel boundary with dimensions.
 - Adjacent public and private streets and driveways.
 - All existing and proposed buildings and site features (including significant trees and topographic features).
 - Elevations of proposed structure, design change, or addition to include type, dimensions and colors of materials.
 - Verification that house number is visible from street.
-
- Required Fees and Deposits

Consult City Clerk or City Planner for current fee and deposit requirements.

TIME REQUIRED FOR PROCESSING

Following are processing time limits established by state law:

- Maximum time to determine application completeness: 30 days
- Maximum time to either approve or deny application: 105 days (Negative Declaration)

Note: The preceding time limits are the maximum allowable as specified by state law, unless waived in writing by the applicant. In most instances, applications will be

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processed in less time than described above. In all instances, applications will be processed as quickly as possible.

FEES

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City's administrative costs. Fees are minimum and non-refundable. If a project is determined to require more time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

ADDITIONAL INFORMATION

For additional information concerning planning application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or cityclerk@ci.ferndale.ca.us

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SECRETARY OF INTERIOR’S STANDARDS SUMMARY:

Qualified historic properties (listed or determined eligible for listing) should be reviewed for compliance with the Secretary of Interior’s Standards for Treatment of Historic Properties and are eligible to use the California Historical Building Code (2007). If a project complies with the Secretary of Interior’s Standards and Guidelines for Rehabilitating Historic Properties, the project may be exempt from CEQA review (Class 31 CEQA exemption). Following is the Secretary of Interior’s Standards for Rehabilitation summary:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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HOME OCCUPATION PERMIT APPLICATION PROCESS

QUICK CHECK LIST FOR SUBMITTAL

- Standard Application Form
- Home Occupation Questionnaire
- Fee Deposit

APPLICABILITY

Zoning Ordinance 02-02 defines Home Occupation as any use which, as determined by this ordinance, is customarily carried on within a dwelling or unattached structure by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling.

PURPOSE

Home occupations, as defined above, are permitted as appurtenant and accessory uses to any residential uses.

According to Section 7.11 of the Zoning Ordinance, the Home Occupation shall:

- 7.11.1 Be a legal and lawful business; and
- 7.11.2 Produce no evidence of its existence in the external appearance of the dwelling or premises including but not limited to exterior displays such as signs, or in the creation of offensive noise, vibration, smoke, dust, odors, heat or glare, parking or traffic, or other nuisances to a degree greater than normal for the neighborhood.
- 7.11.3 Is confined completely within the dwelling or unattached structure and occupies not more than twenty five percent (25%) of the total floor space of the main dwelling (or its equivalent in an unattached structure).
- 7.11.4 Be an owner- or renter-occupied home and business.
- 7.11.5 Meet the requirements of the building inspector and fire district of jurisdiction and
- 7.11.6 Possess a current business license. If license expires, H.O.P. expires.
- 7.11.7 At time of business license renewal, produce a copy of the applicant's Liability Insurance on which a rider has been placed for the Home Occupation.

The violation of any applicable City requirement, including but not limited to the above may result in the revocation of the permit

PROCESS

1. Pre-application Review (optional)

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This is an optional step recommended by staff. This step can include a review of preliminary plans and/or a meeting with city staff. Staff may provide feedback in verbal and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

2. Application Completeness Check

- a. Applicant files application form and other information required and pays all required fees and deposits.
- b. Within 30 days of submission at City Hall, the City Staff reviews application materials to determine whether the application includes all information required and is considered complete. The City Staff may refer application materials to other staff to obtain opinions regarding application completeness.
- c. If the application is deemed to be incomplete, the City Staff will provide a written explanation to the applicant within the 30-day review period.
- d. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected.

3. Application Processing

- a. The City Staff reviews completed application materials for conformance with Zoning Ordinance Section 7.11 and other city requirements.
- b. City Staff prepares a written notification of the Planning Department's decision and presents to the applicant.

APPEALS

All administrative decisions are subject to appeal, as set forth in Article XI of the Zoning Ordinance. Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 days of staff's determination. Fees for appeals are equal to the fee of the application being appealed.

APPLICATION REQUIREMENTS

A complete application consists of required forms, plans, and required fees and deposits, as described below.

1. Forms
 - a. Standard Application Form
 - b. Home Occupation Questionnaire
2. Required Fees and Deposits

Consult City Clerk for current fee and deposit requirements.

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TIME REQUIRED FOR PROCESSING

Following are processing time limits established by state law:

Maximum time to determine application completeness: 30 days
Maximum time to either approve or deny application: 105 days

FEES

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City's administrative costs. Fees are minimum and non-refundable. If a project is determined to require more time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

ADDITIONAL INFORMATION

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**SECONDARY DWELLING UNIT APPLICATION
PROCESS IN R-1, SINGLE-FAMILY RESIDENTIAL
OR R-S, RESIDENTIAL SUBURBAN ZONES**

QUICK CHECK LIST FOR SUBMITTAL

- Standard Application Form
- Site Plan
- Fee Deposit

APPLICABILITY

Zoning Ordinance 02-02, as amended, sets forth standards for creation of a subordinate, secondary dwelling unit or the conversion of existing living space into independent living space on lots in single-family residential and residential suburban neighborhoods.

PURPOSE

The ordinance enacted to include provisions for secondary dwelling units sets forth standards for creation of a secondary dwelling unit in a Residential Single Family (R-1) zone or Residential Suburban (R-S) zone. The secondary dwelling unit for which the conditional use permit has been applied shall be deemed not to exceed the allowable density for the lot on which it is located and shall be deemed to be a residential use which is consistent with the existing General Plan and zoning designation for the lot. In Zoning Ordinance 02-02, as amended, Section 3.64 defines a Secondary Dwelling Unit as a separate residential unit, containing sleeping, kitchen and bathroom facilities, created on a lot zoned R-1 or R-S that already contains one legally created residential unit. A secondary dwelling unit may be created by:

- 3.64.1 Alteration of an existing residential structure whereby kitchen and bathroom facilities are not shared in common; or
- 3.64.2 Conversion of an attic, basement, attached garage, or other previously uninhabited portion of a residential structure; or
- 3.64.3 Addition of a separate unit onto an existing residential structure; or
- 3.64.4 Construction of a separate structure on a lot in addition to an existing residential structure.

An application for a use permit for a secondary dwelling unit may be made in the manner prescribed in Section 10.02 and subject to the standards set forth in Section 7.21 of the Zoning Ordinance, as amended.

PROCESS

1. Pre-application Review (optional)

This is an optional step recommended by staff. This step can include a review of preliminary plans and/or a meeting with city staff. Staff may provide feedback in verbal and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

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2. Application Completeness Check

- a. Applicant files application form and other information required and pays all required fees and deposits.
- b. Within 30 days of submission at City Hall, the City Staff reviews application materials to determine whether the application includes all information required and is considered complete. The City Staff may refer application materials to other staff to obtain opinions regarding application completeness.
- c. If the application is deemed to be incomplete, the City Staff will provide a written explanation to the applicant within the 30-day review period.
- d. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected.

3. Application Processing

- a. City Staff reviews completed application materials for conformance with Zoning Ordinance Section 7.21 and other city requirements.
- b. City Staff prepares a written notification of the Planning Department's decision and presents to the applicant.

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APPLICATION REQUIREMENTS

A complete application consists of required forms, plans, and required fees and deposits, as described below.

1. Forms

- a. Standard Application Form

2. Plans/Other Information:

- a. Site Plan – An accurate scaled drawing drawn to a standard engineer or architect scale showing the following:
 - Title – “Site Plan”
 - Name, address and phone number of applicant and/or agent
 - Property address and assessor parcel number
 - Date, north arrow, scale
 - Entire parcel boundary with dimensions

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- Adjacent public and private driveways, streets, alleys and easements as well as right-of-way widths of each
 - Dimensions and location of all off-street parking spaces
 - Location, dimensions and square footage of existing residential dwellings and accessory structures.
 - Location, dimensions and square footage of proposed Secondary Dwelling Unit
 - Include distance from all property lines to all structures.
- b. Proof that, at the time of application for the Secondary Dwelling Unit permit, the applicant is the owner of the property on which the secondary dwelling unit is proposed to be located;
 - c. Proof that, at the time of application for the Secondary Dwelling Unit permit, the owner occupies the property on which the secondary dwelling unit is proposed to be located.
 - d. The City Planner may require additional information, plans and/or drawings if they are necessary to enable the Planner to determine whether the proposed secondary dwelling unit complies with the applicable provisions of this ordinance.

Consult City Clerk for current fee and deposit requirements.

DEVELOPMENT STANDARDS

1. A secondary dwelling unit is permitted only on lots within in the R-1 and R-S zones
2. At the time of application for the Secondary Dwelling Unit permit, the applicant shall be an owner-occupant of the subject property
3. The lot on which the secondary dwelling unit is sited shall comply with the minimum site area, width and depth standards prescribed for the R-1 and R-S zones
4. The secondary dwelling unit shall be accessory to a principal one-family dwelling in that it is subordinate and incidental to the principal dwelling
5. The secondary dwelling unit may either be attached to the principal dwelling, or detached from the principal dwelling
6. The maximum gross floor area of the secondary dwelling unit shall not exceed 640 square feet
7. When a single-family dwelling of less than 640 square feet exists on a lot, a larger single-family dwelling may be constructed as the principal dwelling, provided that the existing dwelling complies with the regulations for a secondary dwelling unit as prescribed herein
8. A secondary dwelling unit attached to the principal dwelling shall comply with the applicable development standards for additions to a single-family residence; a detached secondary dwelling unit shall conform to the applicable development standards for an accessory structure

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9. Not more than one secondary dwelling unit shall be permitted on any one lot. A secondary dwelling unit shall not be permitted on a lot already having two or more dwelling units located thereon and shall not be permitted in addition to a guesthouse. A guesthouse shall not be permitted on any lot developed with a secondary dwelling unit
 10. The lot on which the secondary dwelling unit is sited shall be developed with at least two parking spaces, one per dwelling, as noted in section 7.16 of the Zoning Ordinance 02-02
 11. The secondary dwelling unit shall provide complete independent living facilities for one or more persons. It shall include permanent separate provisions for living, sleeping, eating, cooking, and sanitation; and shall have a separate entrance which is subordinate to the entrance to the main building if located facing the street
 12. The secondary dwelling unit may have utility services metered separately from, or with the principal dwelling unit
 13. The secondary dwelling unit shall comply with all local, state and federal codes and standards, including the building codes as adopted by the City of Ferndale. Development of the secondary dwelling unit shall not cause the principal dwelling to violate any local, state or federal codes and standards, including the building codes as adopted by the City of Ferndale
 14. A secondary dwelling unit that conforms to the requirements of this ordinance shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot
 15. Secondary Dwelling Unit permits shall not be issued for secondary dwelling units that result in adverse impacts to the adequacy of water and sewer services and/or that result in adverse impacts on traffic flow, and or that result in adverse impacts on any real property that is listed in the California Register of Historic Places
 16. All construction proposed under the Secondary Dwelling Unit permit shall be subject to architectural review. The secondary dwelling unit shall be constructed in such a manner as to be compatible with the existing neighborhood in terms of form, height, material and landscaping
 17. The secondary dwelling unit shall not be sold or owned separately from the principal residential unit but may be rented
 18. The minimum separation between the main residence and a detached secondary dwelling unit shall be ten (10) feet
 19. A detached secondary dwelling unit which is located within any portion of a required rear yard shall not exceed one (1) story or sixteen (16) feet in height, whichever is less
 20. A detached secondary dwelling unit may not be constructed within five (5) feet of a rear or side property line
 21. The secondary dwelling unit shall conform to any other conditions or standards which in the judgment of the City Staff are necessary to mitigate possible adverse impacts on the neighborhood.
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TIME REQUIRED FOR PROCESSING

Following are processing time limits established by state law:

Maximum time to determine application completeness: 30 days
Maximum time to either approve or deny application: 105 days

FEES

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City's administrative costs. Fees are minimum and non-refundable. If a project is determined to require more time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

ADDITIONAL INFORMATION

For additional information concerning planning application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or cityclerk@ci.ferndale.ca.us.

Meeting Date:	October 17, 2012	Agenda Item Number	6.2
Agenda Item Title:	General Plan Safety Element Update: Chapter 6.0 Fire Hazards		
Presented By:	Melanie Rheaume, Contract City Planner		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Review and file		

RECOMMENDATION: Review the attached draft Fire Hazards chapter of the General Plan Safety Element Update; provide input, and direct staff to proceed with next chapters.

BACKGROUND:

On June 7th, the City Council concurred with the Planning Commission and approved the General Plan Safety Element Update Scope of Work. At the June 20th meeting the Planning Commission reviewed and approved the overall schedule outlining the tasks, meetings, deliverables, and coordination to accomplish the approved Scope. At the July 18th meeting, the Commission reviewed and provided input on the initial draft of the Safety Element Update including the overall element format, Table of Contents, Introduction, and Definitions. At the August 29th meeting, the Commission reviewed and provided input on the initial draft Settings & Context and Geologic & Seismic Hazards chapters.

At the September 19th meeting, the Planning Commission reviewed the initial draft Flooding & Drainage Hazards chapter. During a Study Session immediately preceding the meeting, the Commission heard a joint presentation on flooding hazards by Sherry Constancio of the Department of Water Resources Division of Flood Management and Reginald Kennedy of the National Weather Service.

DISCUSSION:

The initial draft of the Fire Hazards chapter is attached.

The Fire Hazards chapter addresses levels of service, including minimum road widths and clearances around structures as well as fire safety of building construction and defensible space.

The rest of the Element Chapters will be prepared per the schedule and are listed in this attachment with scoping language. Note that since the draft is currently in progress future tense is used in regards to anticipated coordination; subsequent to Element adoption this will be changed.

NEXT STEPS:

The initial draft of the Hazardous Materials chapter will be prepared for the November meeting.

At the January Study Session, Judith Warren will present on Emergency Preparedness. She has requested a 45 minute Study Session in order to thoroughly recap hazards, present educational alternatives, and discuss the need for an educated citizenry, as well as educated civic leaders and business owners.

6.0 Fire Hazards

Fire hazards fall into two general categories: wildland fires, which emanate from forest, grassland, or coastal scrub; and structural fires, which damage homes and workplaces. Both bring risk of spreading to other areas. In general, structural fire protection is the responsibility of local agencies, such as fire protection districts and volunteer fire companies; wildland fire protection is the responsibility of federal and state agencies.

Urban Fire Hazard

Structure fires account for a high percentage of the yearly losses in Ferndale. Structural fires are especially an issue in high-density areas, where there is a higher potential for fire to spread from one structure to the next. Furthermore, the narrow spaces between the structures and the property lines in medium- to high-density areas provide limited room for emergency access. In the older section of downtown Ferndale, including the Main Street Historic District, streets and alleys make it difficult to maneuver and position response vehicles to be most effective in fighting a fire. Structure fires in this older section — where many buildings date from the late 1800's to



Nilsen Barn Fire. Christmas night, 2007.
Photo courtesy of Jim Richards.

1930s, were built to older building standards and fire codes, are very close together, and are made from non-fire resistive construction materials with no internal sprinklers and other fire safety systems in place — present higher risks.

Founded in 1897, the Ferndale Volunteer Fire Department (FVFD) is responsible for the preservation and protection of life and property for the City of Ferndale and the surrounding rural area. The Ferndale Fire Protection District (FFPD) is a special district responsible for

providing fire protection services, through the FVFD, to the City of Ferndale and the unincorporated communities of Grizzly Bluff, Arlynda Corners, Centerville, Port Kenyon, Wildcat Ridge, and the remainder of the Eel River bottoms south of the Eel River. The FFPD was formed in 1934 and was subsequently reorganized under the provisions of the California Health and Safety Code in January 1964 (LAFCo 2008).

The active powers of the FFPD include structural fire protection and suppression, rescue, and emergency medical services. Latent powers include water supply and storage for fire suppression purposes. While the FFPD is responsible for structural fire protection and emergency medical responses, CDF retains responsibility for grass and forest fires. The FFPD has joint responsibility for grass and forest fires within the District through a mutual aid agreement with CDF. The FFPD also has mutual aid agreements with the Loleta and Fortuna Fire Protection Districts. These mutual aid agreements allow the districts to enter into agreements for services, including

emergencies which have the potential to overwhelm the resource capabilities within a single district. This enables the FFPD to maintain preparedness for a disaster beyond their capacity, without the need to expand and create an additional facility.

The FFPD has a district boundary of 44.2 square miles and a total response area of 115.7 miles. The District's current boundaries encompass the area from the Pacific Ocean on the west to the Eel River on the north and east, and to Upper Bear River Road on the southern border. This encompasses all of the City and Planning Area. The FVFD has one rescue truck, three fire engines (pumpers), two water tenders, a utility truck and other assorted equipment (FVFD 2012). The Department also has 12 volunteers trained for Firefighter 1 and Wildland fires, 4 first responders, 10 EMTs, and 4 volunteers trained for Hazardous Materials. The largest facilities within the FFPD include downtown Ferndale, the Humboldt County Fairgrounds, and Ferndale's Elementary and High Schools. Water wells serving the FFPD are owned by a private water company, and within the FFPD water resources have not been identified as deficient (LAFCo 2008).



The historic Ferndale Fire Hall, built in 1910.
Photo courtesy of Ferndale Volunteer Fire Department

Wildland Fire Hazard

Residential development in areas with high risk for wildfire has complicated the fire-protection mission of federal, state and local agencies. Decades of wildland fire-suppression has led to increasing fire fuel levels, percentages of dead fire fuel per wildland acre, and fuel ladders that allow fires to reach large conflagration sizes quicker and more frequently. Wildlife protection agencies are experiencing a change in the type and effects of wildland fire. Though fires are not necessarily larger, they are burning much more intensely, are more costly to control, and create greater risks and losses to the resources and citizens in the wildland areas.

A review of past urban/wildland interface fires in the United States shows many common contributors to major loss of life, property, and natural resources. The most common characteristics of these fires include:

- Poor access for emergency and evacuation vehicles;
- Hot, windy, dry conditions;
- Sloping topography;
- A buildup of flammable vegetation;
- Lack of defensible space;
- Use of combustible construction materials;
- Lack of public education and information;
- Inadequate developer planning; and,
- Underequipped and undertrained firefighters (IAFC and WFCFA1996).

Steeply sloped hills covered with coniferous forest and understory are located within and around the southern portion of the Planning Area. Specifically, the forested slopes south of Centerville Road west of the City and south of Bluff Road east of the City have considerable fuel loads. Prevailing winds from the west have potential to spread wildfire from those areas into Ferndale.

The Humboldt County Fire History map 1908-2001, prepared by Humboldt County Community Development Services in October 2002, indicates that there have been no major wildfires in the Planning Area in the last century. According to the Humboldt County Community Development Services Department (now the Building and Planning Department), the entire Planning Area is within a High Fire Rating Zone (see Figure 7).

The Humboldt County Fire Safe Regulations are contained in Title III - Division 11, Land Use and Development, are known as the "SRA Fire Safe Regulations" and constitute the wildland fire protection standards of the County for lands within State Responsibility Areas (SRA).

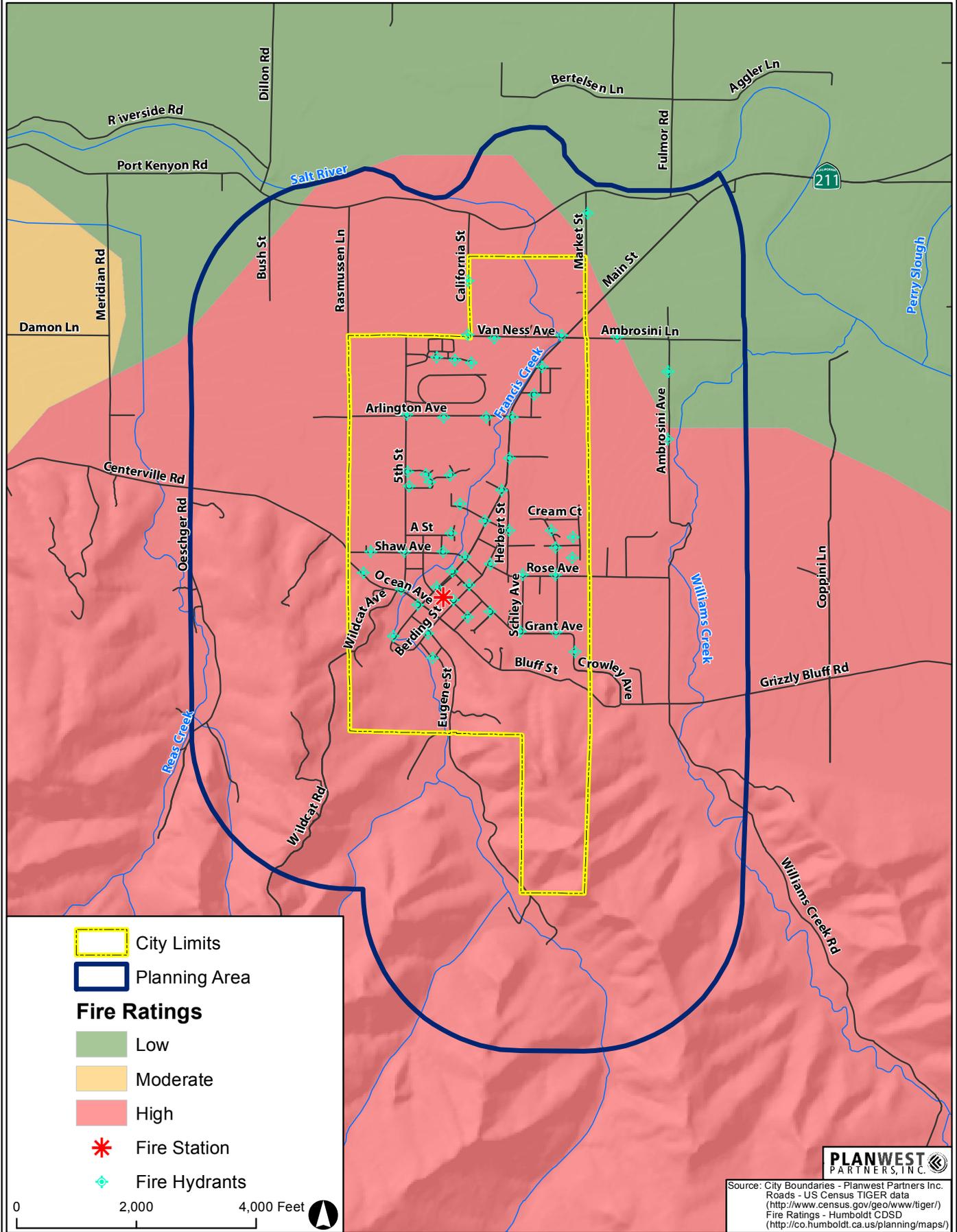
The California Department of Forestry and Fire Protection (CAL FIRE) has responsibility for wildland fires on SRA's, which includes most of the steeply sloped and forested areas in the southern portion of the Planning Area. When staffed, CAL FIRE provides emergency response for wildland fires, structure fires, vehicle accidents and medical aid calls, and support for local fire agencies as needed. CAL FIRE and the Forest Service are at peak staffing from July through October. During the off-peak part the year, CAL FIRE responds as available (Humboldt County 2011).

The wildfire hazard in the Planning Area has been analyzed using the methodology of CAL FIRE's Fire and Resource Assessment Program (FRAP). This method takes into account fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. Specifically, the zone determines the requirements for unique building codes designed to reduce the ignition potential to buildings. According to the 2007 FRAP map, the southern portion of the Planning Area that is within the SRA is a High Fire Hazard Severity Zone.

In 2006, the Humboldt County Board of Supervisors approved the Master Fire Protection Plan (MFPP), as a resource to assist in the development of appropriate policies in the County General Plan. The MFPP was developed for use as a framework for fire coordination, prevention, and protection throughout the county. The MFPP also makes significant findings and recommendations relating to fire protection capability, fire safe education, fire risk and hazard assessment, fire risk reduction and management, community preparedness and response, and fiscal issues relating to fire protection.

The MFPP Plan contains a wildland fire risk/hazard assessment that was prepared for eleven fire planning compartments covering the entire County using the Risk Assessment and Management System (RAMS) computer model. Planning compartments were developed based on watershed and planning boundaries and were designed to include areas with similar fire planning characteristics. The Planning Area is located within the Humboldt Bay Planning Compartment, which extends from Trinidad in the north to Rio Dell and Carlotta in the south.

Figure 7 - Fire hazards



-  City Limits
-  Planning Area
- Fire Ratings**
-  Low
-  Moderate
-  High
-  Fire Station
-  Fire Hydrants



Source: City Boundaries - Planwest Partners Inc.
 Roads - US Census TIGER data
<http://www.census.gov/geo/www/tiger/>
 Fire Ratings - Humboldt CDS
<http://co.humboldt.ca.us/planning/maps/>

The RAMS analysis evaluated five factors that contribute to the overall risk of catastrophic fire. The five factors are:

- fire-related fuels hazard and topography;
- resources and economic assets at risk;
- wildland ignition risk;
- wildfire history; and
- fire protection capacity.

Based on the RAMS analysis, the risk of catastrophic fire for the Humboldt Bay Planning Compartment is considered moderate.

Property damage from wildfires can be severe and can significantly alter entire communities. Structures, above-ground infrastructure, critical facilities and natural environments are vulnerable. Some land uses are more vulnerable to wildfire, such as single-family rural residential, while others are less vulnerable, such as agricultural land, gravel mining, and cemeteries. Critical facilities that are of wood frame construction are especially vulnerable during wildfire events.

MINIMIZING RISKS

Ferndale has adopted the 2010 California Fire Code. These provisions include construction standards and sprinkler and fire hydrant requirements in new structures and remodels, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains.

Providing Ferndale residents, property owners, and business operators with a better education about fire risks and the potential liabilities they face is a proven low cost method to prepare for – and even avoid – fires. The City and the FFPD could facilitate this effort. The FFPD could undertake a proactive and aggressive approach with the owners of private properties who fail to meet minimum maintenance standards from a fire hazards standpoint in its role as enforcement agency for the fire code.

Adopting an annual and ongoing clean-up program to minimize or eliminate fire fuel accumulations on City-owned properties and in the public rights-of-way would allow the City to reduce fire risk while setting an example for other property owners by proactively addressing its own fire safety hazards.

Developing policies to protect existing water supplies, develop additional water supplies and maintain and/or enhance the integrity of the delivery systems would ensure access and availability of water supply in case of a fire.

7.0 Hazardous Materials

NOTE: To be developed per schedule.

SCOPE : This section will address those establishments identified within and near the Planning Area which store these materials and the potential for hazardous material spills.

8.0 Acceptable Risk

NOTE: To be developed per schedule.

SCOPE : This section will define the term ‘acceptable risk’ as the level of risk that a majority of citizens and insurance companies will accept without asking for governmental action to provide protection. Various structures and land uses will be classified according to how the population of Ferndale would be affected in the event of loss or failure of each facility, and a level of acceptable damage will be established for each facility type. This information will be used to identify best locations for the various land uses in relation to Ferndale’s hazard areas.

9.0 Emergency Preparedness

NOTE: To be developed per schedule.

SCOPE : This section will consider the steps that can be taken to cope with major emergencies such as a major earthquake, extensive flooding, or large scale threats to the public health and safety. It will be consistent with the County Hazard Mitigation Plan and will discuss collaboration with the Regional Training Institute (RTI) - Community Disaster Preparedness. The Institute’s mission is to offer a centralized system for conducting Community Emergency Response Team (CERT) training in addition to other preparedness classes.

10.0 Goals, Policies and Implementation Programs

NOTE: To be developed per schedule.

SCOPE: Goals, policies, and implementation programs will be developed to provide a policy basis for measures Ferndale can take to prevent loss of life, reduce injuries and property damage, and minimize economic and social dislocations which could result from earthquake, fire, or other natural and man-made disasters. The contract planner and City staff will work with the Planning Commission and City Council to craft policies and implementation strategies for reduction of risk and mitigation or abatement of those hazards and for emergency preparedness and disaster response through land use planning. Policies may address the intensity of development in hazardous areas, clearly define the scope of hazard mitigation measures by type of land use, requirements (if any) for geotechnical and geologic investigations to mitigate geologic hazards and clear procedures for geotechnical and geologic report review.

11.0 References

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Meeting Date:	October 17, 2012	Agenda Item Number	6.3
Agenda Item Title:	General Plan Safety Element Update: Examples of Policies		
Presented By:	Melanie Rheaume, Contract City Planner		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Review and file		

RECOMMENDATION: Review the attached examples of General Plan Safety Element Policies.

BACKGROUND:

At the September 19th meeting, the Planning Commission reviewed the initial draft Flooding & Drainage Hazards chapter. The Commission requested that planning staff bring examples of policies to the October 17th meeting.

DISCUSSION:

The State Board of Forestry has adopted the California Fire Plan, which describes the environment at risk for fire and the state's activities to reduce that risk. It has also adopted fire safe regulations for counties with State Responsibility Areas (SRAs) as a means of reducing pre-fire fuel loads (Title 14, §1270, et seq., California Code of Regulations). Although most of these regulations are too specific and regulatory in nature to include in a general plan, they offer useful ideas for local policies and can be adapted into local fire safe ordinances and regulations outside of SRAs. The statewide fire safe regulations include:

- Road standards, including width, surface, and grade, for emergency access and evacuation.
- Standards for signs identifying streets, roads, and buildings.
- Minimum water supply reserves for emergency fire use.
- Fuel breaks (i.e., defensible space) around structures and greenbelts around new subdivisions.

The Office of Planning and Research's General Plan Guidelines state that the policies of the safety element should form the basis for adopting fire safe ordinances and strategic fire defense system zoning.

The following is a list of sample General Plan policies for fire hazard reduction:

1. The City will conduct, in association with the local water providers, annual hydrant fire flow tests for both pressure and volume, especially in areas of high fire hazard. Deficiencies in the system shall be addressed as soon as possible.
2. The City will require that new private access roads be reviewed by the Fire Department, and that their recommendations for adequate turning radius and road width be incorporated into roadway design.
3. The City will continue to enforce the California Fire Code for new construction and remodels, including the use of sprinklers in residential structures.

4. The City will study the secondary water supplies for emergency fire flow needs in an emergency.
5. The City will provide fire safety education to residents and the homebuilding, insurance, real estate, landscaping and building supply industries. This would include information about non-combustible roof coverings, fire safe construction, techniques for reducing flammability in home ignition zones, adequate emergency water supplies, visible address and road identification/signage, access road clearances, and emergency evacuation procedures.
6. Expand existing community and school fire prevention education programs and coordinate dissemination of program materials. Foster a proactive approach to preventing fire, and emphasize the relationship between fire prevention/hazard reduction and other rural issues such as forestry and ecological restoration.
7. Promote the goals and objectives of the Humboldt Fire Safe Council.

NEXT STEPS:

Planning staff will prepare samples of policies for the Hazardous Materials chapter for the November Planning Commission meeting.

Meeting Date:	October 17, 2012	Agenda Item Number	6.3
Agenda Item Title:	Sign Ordinance: Approve updates to sections 1001 and 1002; Approve sections 1004.1 and 1004.2.		
Presented By:	Michael Bailey, Sign Committee Chairman		
Type of Item:	<input checked="" type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve updates to sections 1001 and 1002; Approve Sections 1004.1 and 1004.2.		

RECOMMENDATION: Approve updates to sections 1001 and 1002; Approve Sections 1004.1 and 1004.2

BACKGROUND:

The Sign Committee continues to work on the Sign Ordinance; during their 10/4/12 meeting they voted to send the attached to the Planning Commission for their consideration and input. This document represents everything that has been updated and approved to date. The latter parts of the ordinance drive changes in the earlier parts – the Sign Ordinance Committee (SOC) will have iterative changes throughout the time that they work on the ordinance.

SIGN ORDINANCE OUTLINE - Draft Rev. 2

1000 Table of Contents

1001 Background, Purpose and Scope

1001.1 Background Information.

1001.2 Purpose and Intent.

1001.3 Scope.

1002 Sign Definitions

1002.1 Definitions.

1002.2 Sign Categories and Matrix.

1002.3 Zone Names and Definitions.

1003 Zoning Requirements –

1004 General Sign Regulations, Requirements & Restrictions

1004.1 Sign Standards, Maintenance and Design Criteria –

1004.1.1 Design and Construction –

1004.1.2 Materials and Structure –

1004.1.3 Maintenance –

1004.1.4 Color –

1004.1.5 Copy Design and Typeface Guidelines –

1004.1.6 Lighting –

1004.1.7 Sign Height Measurement –

1004.1.8 Number of Signs –

1004.1.9 Placement –

1004.1.10 Area –

1004.1.11 Exceptions –

1004.2 Miscellaneous Business Signs

1004.2.1 Directional (On & Off Site) –

1004.2.2 Double Faced & V-Type –

1004.2.3 Exterior and Interior –

1004.2.4 Ground, Freestanding and Monument –

1004.2.5 Multifaced –

1004.2.6 Pole, Pylon, Post & Panel, or Column Signs –

1004.2.7 Wall or Fascia –

1004.2.8 Wall Murals and Graphic Designs –

1004.2.9 Window and Door –

1004.3 Prohibited or Illegal Sign Characteristics, Locations, Types, and Messages

1004.3.1 Generally Prohibited Signs –

1004.3.2 Specifically Prohibited Signs –

1. Animated or Moving Message Signs –

2. Billboard or Poster-board Signs –

3. Derelict Signs –

4. Flashing Signs –

5. Inflatable Sign –

SIGN ORDINANCE OUTLINE - Draft Rev. 2

- 6. **Misleading or Misdirecting Signs –**
- 7. **Public Menace or Peril Signs –**
- 8. **Revolving or Rotating Signs –**
- 9. **Roof Signs –**
- 1004.3.3 **Illegally Erected Signs –**
- 1004.4 **Nonconforming Signs –**
 - 1004.4.1 **Intent –**
 - 1004.4.2 **Change of Status –**
 - 1004.4.3 **Modifications –**
 - 1004.4.4 **Duration of Nonconforming Signs –**
 - 1. **Nonconforming Signs –**
 - 2. **Grandfathered Signs –**
 - 3. **Historically Significant Signs –**
 - 1004.4.5 **Mailing of Notices –**
 - 1004.4.6 **Removal of Unlawful and Abandoned Signs –**
- 1004.5 **Unregulated or Exempt Signs and Exceptions –**
 - 1004.5.1 **Accessory and Affiliation –**
 - 1004.5.2 **Building/Site Address or House Numbers (Street Address) –**
 - 1004.5.3 **Directional On-site Sign –**
 - 1004.5.4 **Flags bearing an official design –**
 - 1004.5.5 **Garage and Yard Sale Signs –**
 - 1004.5.6 **Government and Gasoline Price Signs –**
 - 1004.5.7 **Historic Significance, Marker or Historic Plaque –**
 - 1004.5.8 **Informational signs such as restrooms, telephone location or direction of door opening. –**
 - 1004.5.9 **Interior Business Signs > 5' from exterior surface of building. –**
 - 1004.5.10 **Nameplate or Memorial Signs or Tablets –**
 - 1004.5.11 **Parking Information Signs –**
 - 1004.5.12 **Political, Social Issue, Special Event, and Seasonal or Public Interest Event Signs –**
 - 1004.5.13 **Public Message –**
 - 1004.5.14 **Real estate Signs –**
 - 1004.5.15 **Seasonal Signs and Decorations –**
 - 1004.5.16 **Traffic Signs or Signals –**
 - 1004.5.17 **Window Signs –**
- 1004.6 **Illumination & Reflecting Signs –**
 - 1004.6.1 **Flashing Signs –**
 - 1004.6.2 **Neon Signs –**
 - 1004.6.3 **Reader-board, Multiple Message or Copy-change Signs –**
 - 1004.6.4 **Revolving and Rotating Signs –**
- 1004.7 **Wind-driven & Movement Signs –**
 - 1004.7.1 **Animated or moving message signs –**
 - 1004.7.2 **Banner, Flag or Pennant –**
 - 1004.7.3 **Flags bearing an official design –**
 - 1004.7.4 **Inflatable Signs –**

SIGN ORDINANCE OUTLINE - Draft Rev. 2

- 1004.7.5 Pendent String or Ground-wiggler –
- 1004.7.6 Reader-board, Multiple Message or Copy-change Signs –
- 1004.7.7 Revolving or Rotating Signs –
- 1004.7.8 Swinging Signs –
- 1004.7.9 Wind-driven Signs –
- 1005 Other Sign Regulations –
 - 1005.1 Temporary Signs –
 - 1005.1.1 Construction Signs –
 - 1005.1.2 Event-specific Signs –
 - 1005.1.3 Garage Sale Signs –
 - 1005.1.4 Open House Signs –
 - 1005.1.5 Opinion Signs –
 - 1005.1.6 Political Signs –
 - 1005.1.7 Portable, Trailer or Mobile Signs –
 - 1005.1.8 Real Estate Signs –
 - 1005.1.9 Sandwich-board or Sidewalk Signs –
 - 1005.1.10 Snipe Signs –
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1001 Background, Purpose and Scope

1001.1 Background Information. The Victorian Village of Ferndale is known for a wealth of historic residential and commercial buildings representing a variety of architectural styles popular during the middle and late 19th century (1860-1900). More modern styles are equally represented including Neo-classical, Craftsman, and Mission. Collectively, the City of Ferndale was designated as a *State Historic Landmark* in 1975 by the California State Parks, Office of Historic Preservation. In 1994, the City's Main Street was designated as a *Historic District* by the National Park Service and placed on the National Register of Historic Places.

Residents and visitors alike are attracted to Ferndale to enjoy the opportunity to "step back in time" and enjoy the town's many architectural flavors. To this end the City has determined that commercial and non-commercial signs should be respectful of the major stylistic components of the individual historic buildings and overall character of the City of Ferndale's historic "streetscape." Accordingly, this sign ordinance is envisioned to address the placement, color, design and architectural character of commercial and non-commercial signs in order to maintain the overall visual quality of all areas of the City, while clearly communicating the intended information.

1001.2 Purpose and Intent. Signs have an obvious impact on the character and quality of life in this town, and the attractiveness and appearance of Ferndale's Historic District. As a prominent part of the scenery, they help attract or repel the viewing public and may affect the safety of vehicular or pedestrian traffic. Their suitability or appropriateness helps set the tone of the whole City.

Because signs strongly influence the perception of the establishment, building, street view, and the aesthetics of the historic district, there is a public interest in ensuring that signs are well designed, carefully placed and properly maintained in accordance with the overall desired character of Ferndale.

The purpose of these limitations and requirements are to create a legal framework for a comprehensive and balanced system to manage signage in a manner which will;

- 1. Protect** the interests of all sectors of the business community by providing a properly managed opportunity for effective advertising, identification and commercial communications through signage to match services with the needs of the public.
- 2. Maintain, protect and enhance** the historical aspects, aesthetics, property values; the City's unique character, its natural setting, its architecture, and the economic viability of the City's commercial corridor by promoting the use of aesthetically pleasing materials, colors, and types of signs and by implementing design review.
- 3. Delineate** the design, type, number, placement, location, illumination, aesthetic quality and physical dimensions of signs according to standards consistent with the types of establishments in each zoning district and those that contribute to the overall environment of the buildings, streets, and districts of Ferndale.

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4. **Protect** residential districts adjoining non-residential districts from adverse impacts of excessive illumination and numbers or sizes of signs.
5. **Provide** for signs as an effective and pleasant channel of communication, while ensuring that signs are aesthetically proportioned to the structures to which they are associated with.
6. **Encourage** both renovation and proper maintenance of signs; through equal treatment, accurate record keeping and public information programs.
7. **Safeguard** motorists, bicyclists, and pedestrians and enhance the public health, and general welfare by requiring safe and effective signage while avoiding traffic safety hazards caused by visual clutter, distractions and obstructions.
8. **Enable** noncommercial signs such as real estate “for sale” signs and political signs that address advocacy on debatable issues.
9. **Defend and preserve** the rights of freedom of association, speech and expression in all matters pertaining to signage.

Further, it is the intent of the City that its commercial and industrial development remains in harmony with the residential community and the historical nature of Ferndale.

1001.3 Scope. The provisions of this Sign Ordinance provide for the installation, construction, alteration, repair, maintenance, enforcement and display of signage in all areas of the town of Ferndale with a major emphasis on the Historic District, the Design Control Combining Zone (-D-zone), and other residential, commercial, and public facility areas within the City. All signage regulated by this ordinance is under the direct control of the Planning Commission, while signage residing within the Ferndale Historic District and the -D-zone will require a use permit approved by the Design Review Committee, a subcommittee of the Planning Commission.

The term “signage” shall include all types of commercial, noncommercial, residential, governmental, public purpose and building address signs in public view from public or private byways. Any signage that can be displayed under the provisions of this ordinance may contain a noncommercial message. This ordinance shall not manage public purpose signs posted by state or local government agencies other than permitting their use.

When reading and using this document, the INTENT of each section should carry more weight in decision making than the specific wording of each section. An attempt is made to state the intent at the beginning of each section. This statement of intent should be used as a guide to interpretation of any specific paragraph, article or provision.

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SECTION 1002 SIGN DEFINITIONS

1002.1 Definitions. The following words and terms shall, for the purposes of this section, and as used elsewhere in this ordinance, have the meanings shown herein. It must be understood that a sign type defined herein does not imply consent to use that sign type.

ABANDONED OR OBSOLETE SIGN: Any sign which no longer applies to the business or property, due to the lack of a business licenses or a change in business name or for any other reasons, rendering the sign not applicable to the premises involved. This condition must exist for a period of more than ninety (90) days, at which time it becomes a nonconforming sign. Any sign which is a conforming sign, not in use, but which may be intended to be re-used in conjunction with the ownership or operation of a new business on said property shall not fall under the definition of abandoned.

ACCESSORY SIGN: Any sign which is designed to facilitate the announcement of trading stamps, credit cards, special services being offered or other similar messages. Such signs shall not announce or advertise products, goods or services directly related to the business being conducted on the premises.

AFFILIATION SIGN: Any identification sign with a message identifying membership in an association of businesses, such as credit card companies or civic organizations.

ANIMATED OR MOVING MESSAGE SIGN: Any sign, with or without electrical energy, that uses movement, blinking, flashing, change or fluctuation of lighting intensity, color, motion, or sound to depict action or creates a special effect or scene including programmable displays and message boards, swinging and rotating signs.

ARCHITECTURAL FEATURE: Means either a projecting, three-dimensional or flush-mounted, sculptural, constructed item, or artistic rendering, that has no written message, lettering or business name incorporated into its design. This feature can be separate from the sign face and must be designed to visually identify the type of product for sale or a service offered, such as, but not limited to: molded coffee mug, ice cream cone or shoe projecting from the wall face to identify a coffee shop, ice cream shop or shoe store; flush mounted figures or painted murals of running horses for a tack shop, a barber pole for a barber shop, a pair of scissors flush mounted on the wall of a hair salon, a bicycle affixed to the wall of a bicycle shop, a model airplane mounted over the entry door of a toy store.

ARCHITECTURAL PROJECTION: Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. (See also "Awning" and "Canopy.")

AWNING, CANOPY OR MARQUEE SIGN: Any suspended or hanging sign that is mounted on, painted onto or attached to an awning, canopy or marquee. An awning is a metal and cloth structure. A canopy is solid structure; a marquee is a structure that typically has a covering with changeable advertising, such as the theatre marquee. An awning becomes a sign when it contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of the awning.

BANNER, FLAG OR PENNANT: Any suspended sign made of a flexible material such as canvas, sailcloth, plastic or waterproof paper on which copy or graphics is displayed and displayed for a business purpose or public event.

BILLBOARD OR POSTER BOARD: Any freestanding off-site outdoor advertising sign and or panel typically designed on a free standing framework independent of a building to attract the interest of passing motorists. (Also see off-site signs.)

BUILDING ADDRESS: A building address is any series of numbers and/or letters, presented in a mostly fixed format, used for describing the location of a building, apartment, or other structure or a plot of land on a street.

BUILDING MARKER: A building marker is any permanent Identification Sign indicating a building's name, date and incidental information about its construction. Such a sign typically is cut into a masonry surface or made of bronze or other permanent material.

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BUILDING SIGN: Any Identification Sign affixed to the front or side of a building that identifies the building name, businesses or activities residing within the building. (See Directory or Multi-unit signs)

BUSINESS SIGN: Any sign that identifies the existence of a profit-making, nonprofit, or governmental organization involved in the provision of goods or services.

ON-SITE SIGN: A sign located on the same parcel of land from which the product, service or activity described by the sign is made available.

OFF-SITE SIGN: A sign not located on the same parcel of land from which the product, service or activity described by the sign is made available.

CHURCH SIGN: Any sign that identifies the existence of a religious building that provides for member prayer, services or assembly.

COMMERCIAL MESSAGE SIGN: Any sign, wording, logo or other representation, except for the actual name of the business, that directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

CONSTRUCTION AND DEVELOPMENT PROJECT SIGNS: A sign advertising or identifying the persons or firms associated with a construction project and typically attached to building(s), fence, or freestanding.

CONTRACTOR SIGN: A sign identifying a contractor's name, company, address or contact information associated with a construction project.

DERELICT SIGN: Any sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the Building or Electrical Codes applicable in the jurisdiction.

DIRECTIONAL SIGN: A sign containing directional information, including governmental signs, with a message that provides only directions to pedestrian or vehicular users to locations deemed to be in the interest of the traveling public. Directional signs do not include real estate signs.

DIRECTIONAL, ON-SITE: A sign, the sole purpose of which is to direct the flow of traffic, indicate entrances or exits, transmit parking information or convey similar information.

DIRECTIONAL, OFF- SITE: A sign, located on one (1) parcel, advertising and/or directing traffic to a government building or agency, business, event, or point of interest located on a different parcel within the City.

DIRECTIONAL, OFF - SITE TEMPORARY: An off-site sign authorized by permit to be placed in a specified location for a defined period of time. (Also see Portable or Mobil signs)

DOUBLE FACED & V-TYPE SIGNS: Any sign that has two (2) sign faces provided the planes are not more than two (2) feet apart. A V-Type or A-Frame sign has two faces connected at one end, but facing away from each other at angles that impart a "V" shape to the sign. For purposes of computing surface area, such signs are two separate signs if the angle between the two outer surfaces is greater than 60 degrees; otherwise the panels/wings shall be considered one double-faced sign

EVENT SPECIFIC SIGN: Any temporary sign to be used to announce an event such as a festival, dance, business opening, sale, meeting, fund-raiser, parade and information about political candidates and other events which have a short term conclusion

EXTERIOR SIGN: A sign which is located on the outside of a building or business premises, located on a vacant property or painted on or attached to either the inside or outside of a door, fence or window as long as the sign is viewable from the sidewalk or street.

FENCE SIGN: Any exterior sign affixed to or painted on a fence that faces a public road or walkway.

FLASHING SIGN: Any sign that contains an intermittent or flashing, scintillating, blinking or traveling light source. This includes signs that give the illusion of intermittent or flashing lights by means of animation, or an externally mounted intermittent light source.

FREESTANDING SIGN: A ground sign supported by one (1) or more upright poles, columns, or braces. Included are pole, post & panel, pylon, monolith, monument and masonry wall-type signs. A free standing sign structure is considered to be one sign even though it may be Double Faced, V-Type or Multifaced.

GARAGE AND YARD SALE SIGNS: A sign with a message advertising the resale of personal property that has been used by the resident.

GASOLINE PRICE SIGN: A sign that announces the price of any fuel to the public passing by on a sidewalk or street.

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GATEWAY OR RESIDENTIAL GATEWAY SIGN: A sign installed along a street or frontage and specifically intended to identify the name of a neighborhood, residential planned development, residential subdivision, residential districts, subdivision, apartment, condominium, apartment complex consisting of five or more units or office complex.

GOVERNMENT SIGN: Any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

GRANDFATHERED SIGN: A grandfathered sign is a nonconforming sign which legally existed prior to the adoption of this ordinance and is allowed to remain for a defined period, due to some special circumstance, even though it may not meet the terms of this ordinance.

GROUND SIGN: A sign that is permanently attached to the ground directly or supported by a pole, column, foundation or braces placed in or on the ground and not attached to any building, fence or structure. Ground Signs include Freestanding and Monument Signs.

HISTORIC SIGNIFICANCE OR HISTORIC PLAQUE: An business sign, identification sign or marker announcing the location of any feature, place or building found to be historically significant and authorized or erected by the City Council, or a federal, or state authority.

HOME OCCUPATION SIGN: A sign that identifies a permitted business located in a residence.

IDENTIFICATION SIGN: A sign, the sole purpose of which is to identify the site or the building, use, significance of, or persons occupying the site on which the sign is located.

ILLEGAL USE OR UNLAWFUL SIGN: A sign that served a permitted use that was modified by the property owner without permit or is otherwise in violation of any section of this ordinance, and which has not received "nonconforming status" or that nonconforming use has expired. An Illegal Use Sign is by definition unlawful and subject to abatement. (See Section 1004.3 and Article 3.78.2 & 7.22.1)

ILLUMINATED OR REFLECTING SIGN: A sign illuminated by electricity, gas or other artificial light either from the interior or exterior of the sign and which may include reflective glass and/or phosphorescent surfaces.

INFLATABLE SIGN: Any sign that is or can be filled with three (3) cubic feet or more of air or gas.

INFORMATION SIGN: A very legibly printed and very noticeable placard that informs people of the purpose of an object, history of a building or structure, or gives them instructions on the use of something.

INTERIOR SIGN: A sign which is located on the interior of a building or structure. Business signs within the first five (5) feet of the exterior surface of a building or structure's street facing window, excluding signs which are primarily designed for the information of persons within a building are defined as Window Signs. Interior signs that are greater than five (>5) feet from a street facing window are Unregulated or Exempt Signs. Such signs could also include, but are not limited to, scoreboard signs, signs on the inside of ball field fences, signs within a stadium, and signs located within the site of a special event such as a festival or carnival.

MENU-BOARD: A permanently mounted structure displaying the changeable bill of fare of a restaurant.

MISLEADING OR MISDIRECTING SIGN: A sign that directs pedestrians or motorists to proceed in the wrong direction, perform an illegal action, or to be endangered by following the intent of the sign.

MONUMENT SIGN: A permanent freestanding ground sign mounted on a base or support where the entire bottom is affixed to the ground.

MULTIFACED SIGN: A sign that has three (3) or more sign faces with each adjacent face oriented at less than 150 degrees from the other.

NAMEPLATE, MEMORIAL OR COMMEMORATIVE PLAQUE OR TABLET: means an identification sign, made of appropriate material. The sign can designate a statement or remembrance of an event, or a name, address, phone number and/or occupational designation of the present or past occupant.

NEON SIGN: A sign containing any outline tubing which is located inside or outside a building, and which is displayed in such a manor as to be seen from outside the building.

NON-COMMERCIAL SPEECH: Any sign that does not have a commercial intent or message. Examples of Non-commercial speech signs are Public Message, Political, Opinion and Wall Murals & Graphic Design Signs.

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NONCONFORMING USE SIGN: A sign that was lawfully constructed or installed prior to the adoption or amendment of this ordinance and was in compliance with all of the provisions of this ordinance then in effect, but which does not presently comply with this ordinance. (See Article 3.78.3, 7.23.4 & 12.01) Nonconforming Use usually has a defined amortization period after which its status changes under Nonconforming to Abandoned or Obsolete, Grandfathered, Historically Significant, or it transfers from Nonconforming to Illegal Use or Unlawful status and becomes subject to abatement.

OPEN HOUSE SIGN: An off-site portable sign directing prospective purchasers to the location of a property being offered for sale and open for visitation by the public at the time the sign is displayed.

OPINION SIGN: A temporary sign that expresses a personal or political opinion or position.

PENDENT-STRING OR GROUND-WIGGLER: Any wind-driven sign with continuous pennants, advertisements attached to a rope or pennants attached to a single pole (Ground Wigglers).

PERMANENT SIGN: Any sign for which a sign permit is issued with no time limit in accordance with the provisions of this ordinance. Any mention of signs in this ordinance shall be considered to mean permanent signs unless this ordinance specifies a time limit or references “temporary signs.”

PERMITTED USE WITH USE PERMIT SIGN: Any sign that requires a use permit in order to be displayed. They are specifically permitted by list in the sign ordinance, and can also be special or conditional uses.

POLE, PYLON, POST & PANEL OR COLUMN SIGN: A freestanding ground sign, with one or more panels that are mounted on or between freestanding pole(s), column or other supports permanently anchored in the ground so that the bottom edge of the sign face is six feet (6') or more above grade.

POLITICAL SIGN: A temporary sign that directly relates to a candidate for public office or to a ballot issue, proposition, or a party in an election conducted by a governmental entity or a sign expressing political, religious, or other ideological sentiments that does not advertise a product or service.

PORTABLE, TRAILER OR MOBILE SIGN: Any sign located on or off a business premises which is intended to be moved or capable of being moved, whether or not on a motor vehicle, wheels or other special supports, including, but not limited to, "A-frame" type signs, placards and banners.

PRINCIPAL PERMITTED USE SIGN: Any sign or nameplate that does not normally require a use permit in order to be displayed, but could still require a design review if displayed in the Design Control Combining Zone. (See Article 3.78.4 & 10.01)

PROFESSIONAL SIGN: Any sign which identifies the location of a person(s) engaged in a professional service such as lawyers, doctors, and other professional(s), engaging in a given activity as a source of livelihood or as a career such as a professional writer, or a professional repair job.

PROHIBITED USE SIGN: Any sign that is specifically listed in this ordinance as “prohibited,” and/or is defined by feature, attributes, or location in this ordinance as “prohibited” is a prohibited use sign, illegal by definition and subject to abatement.

PROJECTION, OVERHANGING OR VERTICAL: A sign erected upon a building wall, canopy, or awning, and which projects more than twelve (12) inches outward or perpendicular from the plane of the business façade awning or doorway. Any sign under a marquee, porch, walkway covering or similar structure and generally perpendicular to the wall of the adjoining building shall be deemed to be a projecting, overhanging or vertical sign.

PUBLIC MENACE OR PERIL SIGN: A sign which creates a safety hazard, pitfall, or danger by obstruction of the clear view or safe movement of vehicular or pedestrian traffic. This definition includes signs which may impair or cause confusion of vehicular or pedestrian traffic by their design, color, placement or display characteristics. This definition also includes signs that present a physical hazard due to design or disrepair.

PUBLIC MESSAGE SIGN: A sign which contain only non-commercial messages, posted in public view, with words or drawings on it that give people information, instructions, warn them not to do something, etc. for some public purpose such as designation of restrooms, telephone locations or parking signs.

PUBLIC INTEREST OR PROTECTIVE SIGN: A sign designed and intended to convey information pertinent to the safety, regulations, restrictions, or legal responsibilities of the general public such as "WARNING" and "NO TRESPASSING." This sign can also be associated with

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safeguarding the permitted uses of the occupancy and provide needed guidance to the general public. Examples include "BAD DOG", and "NO SOLICITORS."

PUBLIC NOTICE OR BULLETIN BOARD: Any permanent sign with posted messages that relay public information.

PUBLIC PURPOSE, TRAFFIC, UTILITY OR PUBLIC INFORMATION SIGN: Any sign erected and maintained by public officials or public agencies, or approved for use by state or local government authorities or required or authorized by any law, statute or ordinance and which meets the regulations in said law, statute or ordinance. This includes traffic sign, legal notices or other messages posted by a governmental officer in the scope of his or her duties, and signs indicating the location of buried utilities.

PUBLIC STREET SIGN: A type of traffic sign used to identify named public roads, generally those that do not qualify as expressways or highways.

READER-BOARD, MULTIPLE MESSAGE OR COPY-CHANGE SIGN: A sign constructed to display a visual message that may be periodically changed by the manipulation of letters, panels or numbers on its face(s), either manually or electronically.

REAL ESTATE SIGN: A temporary sign announcing the offer to build on, sell, lease or rent the real property, or any portion thereof, upon which the sign is located and the identification of the person handling such sale, lease or rental.

REVOLVING OR ROTATING SIGN: A sign that revolves three hundred sixty (360) degrees about an axis. (Also see animated signs.)

ROOF SIGN: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof .

SANDWICH-BOARD OR SIDEWALK SIGN: A temporary portable freestanding A-Frame sign designed to be placed outside a business or on the sidewalk.

SEASONAL SIGNS AND DECORATIONS: Noncommercial Temporary Signs such as "Merry Christmas, Seasons Greeting, Happy 4th" and other signs or decorations that portray the appropriate season.

SIGN: Any medium for visual communication, including its supporting structure, which is used or intended to be used to attract attention to a location. It includes any writing, pictorial representation, object, structure, lettering, symbol, display, banner, streamer, or other thing of visual appearance primarily used for, or having the effect of, identifying, announcing, directing or attracting attention or to advertise, or which is used to decorate or illuminate for commercial purposes, or attract attention to any privately owned property or premises from the street, sidewalk or other outside public arena for advertising or identification purposes with the intent to inform the public of sales, rentals, leases or other activities, or is provided by a public agency for a public purpose required or specifically authorized by law, statute or ordinance, or for the protection of the public health, safety or welfare.. A sign shall not mean displays of merchandise or products for sale on the premises, or ornamentation, designs, non-commercial flags, flags bearing an official design, pictures, paintings or other such art forms unless the attraction, because of location, size, use or nature thereof, has the substantial effect of attracting attention for advertising or identification purposes or stating personal or political viewpoints when viewed from an outside area.

SIGN ALTERATION: Any change of copy, color, size, shape, illumination, position, location, construction or supporting structure of an existing sign.

SIGN AREA: The two dimensional area of the smallest square, rectangle or parallelogram drawn to include all characters, lettering, illustrations, designs, ornamentations, frame, and structural components which are part of the sign, but excluding any supports, uprights, posts or structures by which any sign is supported unless such supports, uprights, posts or structures are designed in such a manner as to form an integral background of the sign. In computing the area of a double face sign, only one (1) face of the sign shall be included; provided, that the two (2) faces shall be approximately the same size and approximately parallel to each other and not more than two feet (2') apart at any point. The area of all other multifaced signs shall be computed as the sum of the areas of each face. The area of a sphere shall be computed as the area of a circle encompassing the sphere.

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SIGN BORDER: Any molding, edge or line constituting the perimeter of a sign.

SIGN HEIGHT: The vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be either the natural grade or finished grade, whichever is lowest.

SITUATIONAL SIGN: A sign that advertises a temporary or changing business condition or a situation or a price that will last for a period of time.

SNIFE SIGN: A temporary sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located.

SPECIAL, SEASONAL OR PUBLIC EVENT SIGN: A temporary sign or banner pertaining to community wide events of civic, community, government, philanthropic, educational or other organizations, which are not conducted in connection with the operation of a commercial enterprise.

SPECIAL PURPOSE SIGN: A temporary sign to announce sales, new products, openings or close outs and other special events.

SPECIAL USE PERMIT SIGN: A sign permitted to be used in connection with a conditional use for sites which have been granted a use permit.

SUBDIVISION SIGN: A temporary sign advertising a subdivision and providing travel directions to properties therein offered for sale or lease for the first time. The term "subdivision sign" also includes a model home sign on the site of a property within the subdivision.

SUSPENDED OR SHINGLE SIGN: A sign that is suspended entirely from the underside of a horizontal plane surface such as a covered porch, covered walkway, or an awning and supported by such surface.

SWINGING SIGN: A sign, other than an animated sign as defined by this Article, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building at a height above normal eye level. This term does not include any freestanding signs.

TEMPORARY SIGN: Any sign constructed of paper, metal, plastic or other material that does not require a permit and that can be removed quickly and simply without tools.

TENANT DIRECTORY OR MULTI-UNIT SIGN: A ground or building sign identifying or listing the business names of business' located in a mall, building with business offices, multi-tenant office, mixed use building or clusters of store fronts, which may include directional indicators or location designations.

UNREGULATED OR EXEMPT SIGN: A sign that is defined by this ordinance that would not normally require the issuance of a use permit or fees, provided that the sign does not violate any other part of this ordinance and adhere to general construction and safety standards and other conditions specifically imposed by all other regulations. Signs otherwise exempt, may nonetheless require review by the Design Review Committee if located in –D Combining Zone.

USE PERMIT: A use permit offers a process for considering and approving signs and other zoning restriction, subject to special conditions particular to the character of the use in a particular zone. (See Article 10)

WALL OR FASCIA SIGN: A sign fastened to or painted on the wall of a building or a structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve inches (12") from such a building or structure wall.

WALL MURALS AND GRAPHIC DESIGNS: A wall graphic that is purely decorative in nature and content, applied directly to a wall, and does not include advertising by picture or verbal message.

WARNING SIGN: A sign that announces a danger or caution, and is limited to pole, wall or fence signs.

WIND-DRIVEN SIGN: Any flag, banner, balloon, pennant, streamer or similar device that moves freely in the wind. All wind-driven devices are considered to be signs and are regulated and classified as attached or detached by the same regulations as other signs.

WINDOW OR DOOR SIGN: A sign that is applied or attached to the exterior or interior of a window or door, or located in such a manner within a building that it can be seen from the exterior of the structure through a window or door.

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1002.2 Sign Categories and Matrix. There are a significant number of sign definitions that require regulation. The signs types have been separated into one or more categories in a matrix in Table 1002.2.2 and the sign categories have been abbreviated in Table 1002.2.1 to facilitate their use in the tables.

General Categories	Code	Other Categories	Code
Miscellaneous Business	MBus	Temporary	Temp
Prohibited or Illegal	P/IL	Public Message	PMsg
Nonconforming	NC	Situational	Sit
Unregulated or Exempt	U/Ex	Identification	Id
Illuminated & Reflecting	I/R	Suspended or Shingle	Susp
Movement & Wind-driven	M/WD		

SIGN TYPES	SIGN CATEGORIES – 100X.X.X.X										
	GENERAL SIGNS – 1004.X						OTHER SIGNS – 1005.X				
	MBUS	P/IL	NC	U/EX	I/R	M/WD	TEMP	PMSG	SIT	ID	SUSP
SUBSECTION 100X.X.	4.2	4.3	4.4	4.5	4.6	4.7	5.1	5.2	5.3	5.4	5.5
Abandoned or Obsolete			.1.1								
Accessory				.1							
Affiliation				.1						X	
Animated or Moving Message		.2.1				X					
Awning, Canopy or Marquee											X
Banner, Flag or Pennant						X					X
Billboard or Poster-board		.2.2									
Building Address or House Number				.2						X	
Building Marker										X	
Building Sign										X	
Business (On & Off Site)	1004.2										
Church										X	
Commercial Message									X		
Construction							X		X		
Contractor									X		
Derelict		.2.3									
Directional	.1			.3							
Double Faced & V-Type	.4										
Event Specific	.1.3						X		X		
Exterior	.2										

SIGN DEFINITIONS – Draft Rev. 1

TABLE 1002.2.2 - SIGN CATEGORIES MATRIX											
SIGN TYPES	SIGN CATEGORIES – 100X.X.X.X										
	GENERAL SIGNS – 1004.X						OTHER SIGNS – 1005.X				
	MBUS	P/IL	NC	U/EX	I/R	M/WD	TEMP	PMSG	SIT	ID	SUSP
SUBSECTION 100X.X.	4.2	4.3	4.4	4.5	4.6	4.7	5.1	5.2	5.3	5.4	5.5
Fence									X		
Flags bearing an official design				.4		X					X
Flashing		.2.4			X						
Garage and Yard Sale	.1.3			.5			X				
Gasoline Price				.6					X		
Gateway or Residential Gateway									X		
Government				.6							
Grandfathered			.1.2								
Ground, Freestanding and Monument	.3										
Historic Significance or Historic Plaque				.7						X	
Home Occupation										X	
Inflatable		.2.5				X					
Information				.8							
Interior	.2			.9							
Menu-board									X		
Misleading or Misdirecting		.2.6									
Multifaced	.4										
Nameplate, Memorial or Commemorative Plaque, or Tablet				.10						X	
Neon					X						
Open House				.14			X				
Opinion							X				
Parking Information				.11							
Pendent String or Ground-wiggler						X					
Pole, Pylon, Post & Panel or Column	.5										
Political				.12			X				
Portable, Trailer or Mobile	.1.3						X				
Professional										X	
Projecting, Overhanging or Vertical										X	
Public Interest or Protective				.12				X			
Public Menace or Peril		.2.7									

SIGN DEFINITIONS – Draft Rev. 1

TABLE 1002.2.2 - SIGN CATEGORIES MATRIX											
SIGN TYPES	SIGN CATEGORIES – 100X.X.X.X										
	GENERAL SIGNS – 1004.X						OTHER SIGNS – 1005.X				
	MBUS	P/IL	NC	U/EX	I/R	M/WD	TEMP	PMSG	SIT	ID	SUSP
SUBSECTION 100X.X.	4.2	4.3	4.4	4.5	4.6	4.7	5.1	5.2	5.3	5.4	5.5
Public Message				.13				X			
Public Notice or Bulletin Board								X	X		
Public Purpose, Traffic, Utility or Public Information				.13				X			
Public Street								X			
Reader-board, Multiple Message or Copy-change					X	X			X		
Real Estate				.14			X				
Revolving or Rotating		.2.8				X					
Roof		.2.9									
Sandwich-board or Sidewalk	.1.3						X				
Seasonal Signs & Decorations				.15							
Snipe							X				
Special, Seasonal or Public Interest Event	.1.3			.12			X				
Special Purpose							X				
Subdivision							X				
Swinging						X					X
Tenant Directory or Multi-unit										X	
Traffic Signs or Signals				.16							
Wall or Fascia	.6										
Wall Murals & Graphic Designs	.7										
Warning									X		
Window and Door	.8			.17							

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1002.3 Zone Names and Definitions. Zones are established and designated in Article 4 of the Zoning Ordinance as principal and combining zones. A zoning map is also established in Article 4 to determine the zone boundaries. Table 1002.2 outlines the zone names and regulations established in Zoning Ordinance Articles 5 & 6 and is provided here to clarify sign regulations established in Section 1003 thru 1005.

TABLE 1002.3 ZONE NAMES AND DEFINITIONS			
Article V	Zone	Principal Zone Names	Definitions
§ 5.02	R-S	Residential-Suburban	Large lot development of single-family homes.
§ 5.03	R-1	Residential One-Family	Single-family home development.
§ 5.04	R-2	Residential Two-Family	Two families on each building site.
§ 5.05	R-3	Residential Multiple Family	Low-density Apartment developments.
§ 5.06	R-4	Apartment-Professional	Professional & business offices and institutional uses.
§ 5.07	C-1	Neighborhood Commercial	Convenient sales and service facilities to residential areas.
§ 5.08	C-2	Community Commercial	More complete commercial facilities for community convenience.
§ 5.09	C-AG	Agricultural Services Commercial	Service and selling of goods directly related to farming, dairying, & ranching.
§ 5.10	C-H	Highway Service Commercial	Services for traveling public along main roads and highway frontages.
§ 5.11	M-L	Limited Industrial	Used predominant for light manufacturing heavy commercial and large administrative facilities.
§ 5.12	M-H	Heavy Industrial	Used to control congestion and protect surrounding zones.
§ 5.13	F-W	Floodway	Controls lands which lie within stream or tidal channels and to adjacent areas.
§ 5.14	F-P	Flood Plain	Areas which have been inundated by overflow flood waters in the past.
§ 5.15	P-D	Planned Development	Suitable parcels of undeveloped land.
§ 5.16	A-E	Agriculture-Exclusive	Agriculture areas protected from encroachment.
§ 5.17	P-F	Public Facility	Lands owned by public agencies or the location of public facilities.
Article VI	Zone	Combining Zone Names	Definitions
§ 6.02	-A	Agricultural Combining	Combined with principal R Zones for large lots for agriculture and livestock.
§ 6.03	-B	Special Building Site Combining	Area where lot area and yard requirements should be modified.
§ 6.04	-X	Recreation Combining	Addition of recreational uses.
§ 6.05	-D	Design Control Combining	Structures form a substantial contribution to the use of the zone.
§ 6.06	-Q	Qualified Combining	Combined with any principal commercial zone in which predominantly residential.

Combining Example: R2-B-2 = Residential 2 Family with 10,000 sq. ft. building site.

1004.1 Sign Standards, Maintenance and Design Criteria-Draft Rev 1A

SECTION 1004 GENERAL SIGN REGULATIONS, REQUIREMENTS & RESTRICTIONS

The intent of this section is to delineate the general and specific requirements for signage while emphasizing that the requirements of Section 1004.1 take precedence over the remainder of this Sign Ordinance. Additionally, signs are generally used to convey messages that alert people to a place, idea, business, event or opinion. For the sake of simplicity those messages are divided into the categories of commercial and noncommercial. One of the primary intents of this ordinance is to ensure that every effort has been made to ensure that all speech is protected as provided for in our U. S. Constitution. However, the display rights of noncommercial speech must and will take precedence over commercial speech in all cases and may be displayed in any legal sign surface at any time. In addition, private noncommercial speech can and will be regulated, to some extent, on city land and traditional public forums.

1004.1 Sign Standards, Maintenance and Design Criteria: The most important consideration in this section is that the sign and its design, placement, and color are respectful to the major stylistic components of the individual building, the overall character of the district, and that proper sign maintenance has been considered in every phase of the design cycle.

The following design criteria shall be used in reviewing the design of individual signs. Substantial conformance with each of the following design criteria shall be required before a sign permit can be approved.

1004.1.1 Design and Construction – The best results are usually achieved when a proposed permanent sign is designed by a professional (e.g., architect, building designer, landscape architect, interior designer, or one whose principal business is the design, manufacture, or sale of signs), or others who are capable of producing professional results. However, all designs will be reviewed on an equal footing.

After a certain point, the size and/or weight of a sign or its mounting location can present a potential hazard if improperly designed or installed. Such signs should be mechanically designed and constructed by a person whose principal business is building construction or a related trade including sign manufacturing and installation, or others capable of producing professional results. The intent is to ensure public safety, achieve signs of careful construction, neat and readable copy, and durability, to reduce maintenance costs and to prevent dilapidation. Public safety is a significant issue and the liability for injuries involving signs is usually assigned to the building owner. In any case, hanging and free-standing signs (including mounting structures) that could potentially create a public hazard will require plans signed by an engineer during the permitting process and the installation will be inspected by the city building inspector prior to final approval by the Planning Commission.

1004.1.2 Materials and Structure – Materials for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.

The size of the structural members (e.g. columns, crossbeams, and braces) should be proportional to the sign panel they are supporting. In general, fewer larger

1004.1 Sign Standards, Maintenance and Design Criteria-Draft Rev 1A
supporting members are preferable to many smaller supports. Corrosion resistant material and hardware should always be specified and used.

1004.1.3 Maintenance – Signs must be maintained in order to achieve business goals and ensure public safety. Poorly maintained signs reflect poorly on any business and on the town in general. The following guidance on sign maintenance is hereby provided.

1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times. Ease of maintenance should be considered as well as public safety in the final design and installation of the sign.

2. Any repair to a sign shall be of equal or better quality of materials and design as the original sign. All historic signage, structures and workmanship shall at least conform to the recommendations of the National Park Service, Preservation Brief # 25 – The Preservation of Historic Signs.

<http://www.nps.gov/history/hps/tps/briefs/brief25.htm>

3. A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance if, after ninety (90) days written notice to the permit holder and building owner, the permit holder has failed or refused to maintain the sign. Upon such declaration, the sign may be abated in compliance with the Municipal Code.

4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed, and unpainted areas shall be painted to match the adjacent portion of the structure or the sign support structure.

1004.1.4 Color – Colors on signs and structural members should be harmonious with one another and relate to the dominant colors of the other structures on the site. Contrasting colors may be used if the overall effect of the sign is still compatible with the structure colors and prevailing colors in the surrounding neighborhood (where a theme can be identified).

1004.1.5 Copy Design and Typeface Guidelines – The City does not regulate the message content (copy) of signs; however, the basic principles of copy design and layout can enhance the readability and attractiveness of signs. These principles are provided in a separate sign brochure provided by the Ferndale Design Review Committee.

1004.1.6 Lighting – The plastic feel of internally illuminated signs is inappropriate in a historic district. Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties while adhering to the following requirements.

1. Projected signs and Internally illuminated external signs are prohibited except where required for government use.

2. Indirect exterior illumination shall be permitted provided the light source is entirely shielded from view. External light sources shall be directed so that they do not produce glare on any object other than the sign, and/or off the site of the sign. Reflective-type bulbs that exceed 15 watts shall not be used so as

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to expose the face of the bulb or lamp to a public right-of-way or adjacent property.

3. The light illuminating a sign shall not be of an intensity or brightness that will interfere with the reasonable enjoyment of residential properties.

4. Sign illumination shall not blink, flash, flutter, pulsate, or change light intensity, brightness, or color.

5. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.

6. No sign shall employ the use of mirrors or any other highly reflective surfaces so as to direct or reflect any natural or artificial light onto any public right-of-way or adjoining property.

7. Neither the direct nor reflected light from primary light sources shall create hazards for pedestrians or operators of motor vehicles.

8. Light sources for signs should utilize hard-wired fluorescent, LED, or compact fluorescent lamps, or other lighting technology that is of equal or greater energy efficiency. They should use timers or photo-electric cells for purposes of activation.

9. Permanently installed illuminated panels or strings of lights outlining all or a portion of a structure or architectural feature are permitted and are not considered signs.

1004.1.7 Sign Height Measurement – Sign Height shall not exceed thirty-five (35) feet or as specified elsewhere in this ordinance. Hanging and Freestanding signs must have an eight (8) foot clearance, including sign structure, above any pedestrian way or as specified elsewhere in this ordinance. The height of a sign shall be computed as the vertical distance from the lowest point of the base of the sign at normal grade, to the top of the highest attached component of the sign (see Figure 1004.1.7 and supporting text below).

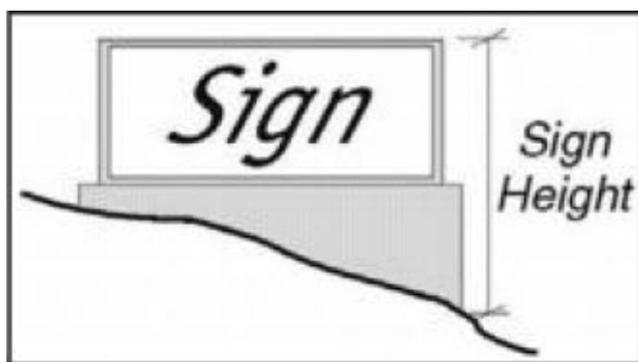


Figure 1004.1.7

1. Normal grade shall be construed to be the lower of either the existing grade before construction or the newly established grade after construction (exclusive of any berming, filling, mounding, or excavating) solely for the purpose of locating the sign.

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2. If normal grade cannot reasonably be determined, sign height shall be computed on the assumptions that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the street curb, or where there is no curb, the crown of a public street, whichever is lower.

1004.1.8 Number of Signs – As with other design elements, the number of signs on a building should respect the architectural integrity of the structure. Special care must be taken when a building has multiple occupants or multiple uses. Too many signs are often as ineffective as no signage at all. A minimum number of carefully designed, well-placed signs should be the goal for each property.

The number of signs allowed per commercial building is a total of three (3). These include wall signs, projecting signs, and overhanging signs. Exceptions may be made in the case of multiple tenant upper floor office spaces and multiple businesses or mall type environments. The number of signs can also be specified in the zoning restrictions or regulations for the individual sign type.

1004.1.9 Placement – The placement of the sign on the building facade is a very important consideration of sign design. Acceptable placements include: painted signs on the glass of a building's storefront except transoms, signs applied to the entrance door, signs on the storefront cornice, and piers. The guiding principle should be to integrate the sign into the architecture of the building without covering important architectural details. The sign should compliment the building and appear to have been a thoughtfully considered design element.

The traditional purpose of catching the attention of the pedestrian is still the most legitimate and most important purpose fulfilled by the sign. The sign function of announcing the business should be balanced with need for a sensitive and integrated overall composition.

A minimum ground clearance of eight feet shall be required for any sign, or architectural sign feature, projecting over a pedestrian walkway. No Signs – public, temporary, directional, or otherwise shall be affixed in any way to plants, landscape or trees. No portion of a freestanding sign shall be located less than five (5) feet from any boundary property line or in a special setback area.

1004.1.10 Area – The surface area of a sign shall be computed as including the entire area within a regular, geometric form, or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area. Sign area shall not include embellishments such as pole covers, decorative roofing, foundation or supports, provided there are no words, symbols or logos on such embellishments

1004.1.10.1. Calculation methodology of surface area shall be accomplished by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. (See Figure 1004.1.10.1)

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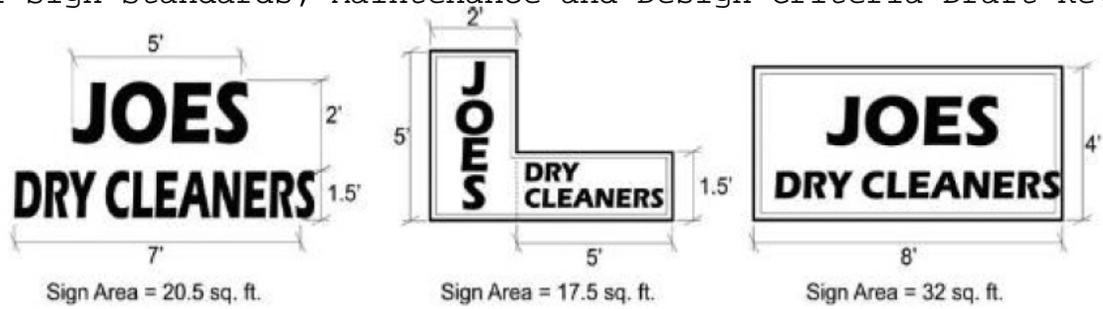


Figure 1004.1.10.1 – Sign Area Measurement

1004.1.10.2. Free-standing or attached sign area shall be considered to include all lettering, wording, and accompanying design and symbols, together with the background, whether open or enclosed, (with or without trim), on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. The sign area of a free-standing sign shall be computed the same as a double-faced sign in Section 1004.1.10.6.



Measuring sign area on a monument sign

1004.1.10.3. For signs painted upon or applied to a building, the area shall be considered to include all lettering, wording, and accompanying designs or symbols together with any background of a different color than the natural color of the building

1004.1.10.4. The area of signs consisting of individual letters or symbols attached to or painted upon a surface, building, canopy, wall or window shall be considered to be the total of the smallest rectangles or other geometric shapes which encompasses each of the letters or symbols.

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Measuring sign area for an attached sign

1004.1.10.5. The area of a projecting sign shall be calculated as the area of a rectangle which encompasses the extreme limits of each individual sign face, including all background visible from any direction at one time. The area of a projecting sign shall be calculated the same as a multifaced, double-faced or V-Type sign.

1004.1.10.6. The area of double-faced and V-Type signs shall include only the largest side of a two-sided sign, regardless of the presence of sign copy on both sides.

1004.1.10.7. The area of multifaced signs with more than two faces shall be computed by adding together the largest area of all sign faces visible from any one point.

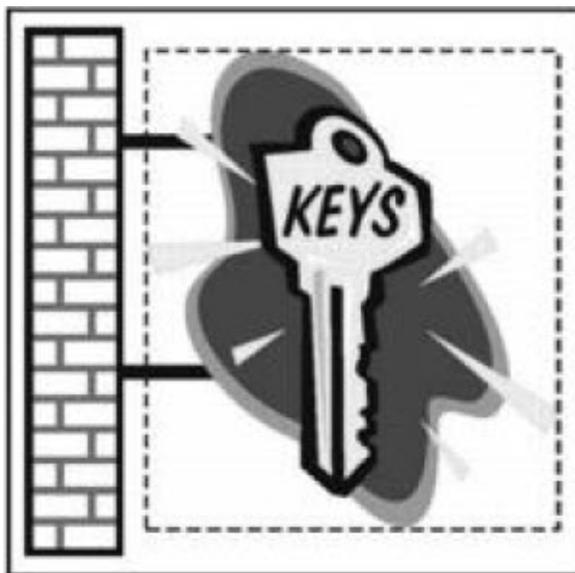


Figure 1004.1.10.8 –
3-D Sign Measurement

1004.1.10.8. The area of signs consisting of one or more three-dimensional objects, such as spheres, cubes, and clusters of objects, sculptures, statue-like trademarks, or other geometric shapes area shall be measured as their maximum projection upon a vertical plane. (See Figure 1004.1.10.8 below)

1004.1.10.9. Sign Area shall not exceed thirty (32) square feet for a single sign or ninety (90) square feet in the aggregate for the number of signs as specified in Section 1004.1.8 Number of Signs – above. Building owners shall calculate their maximum allowed single sign area as follows;

1. Business signs attached to or mounted on buildings shall not exceed 0.25 square feet for

1004.1 Sign Standards, Maintenance and Design Criteria – Draft Rev. 1A

each foot of frontage on a public way, plus 0.125 square feet for each foot of building façade height. In the case of a building with frontage on more than one public way, each frontage is considered separately.

2. A business with a location within the interior of a structure served by an interior mall or other means of ingress and egress shall be limited to one (1) sign at each building entry identifying the building name and a directory not to exceed one (1) square foot for each business listed within the building. Individual businesses within the building shall be limited to one (1) suspended sign not to exceed three (3) square feet or one (1) flat business sign not to exceed six (6) square feet.

3. Signs found to be of historic significance by the City Council on the recommendation of the Planning Commission may be exempt from the above requirements.

1004.1.10.10. Sign Outermost Edge must be located at a safe setback from vehicular traffic or as specified elsewhere in this ordinance.

1004.1.11 Exceptions – In order to prevent undue hardship or inequitable application of this ordinance, the Planning Commission may grant an exception from any maximum standard of this ordinance for a particular application. The intent of such exception is not to grant special privilege to any property owner, but rather to assure fair and equitable treatment of properties that have unusual location, configuration and graphic communication problems.

Where practical difficulties, unique site or building design, or other physical restrictions on the land or buildings not generally shared by other properties result from the strict application of the requirements of this Section, exceptions from such requirements may be granted by the Planning Commission pursuant to Section 1006.3 Special Permits; provided, however, that such exceptions from the provision is prohibited elsewhere in this Ordinance.

1004.2 Miscellaneous Business Signs - Draft Rev. 1A

1004 General Sign Regulations, Requirements & Restrictions – (Continued)

1004.2 Miscellaneous Business Signs. Business signs are generally associated with the downtown business district, but can have a wide application in various zones throughout the city. Generic Business Signs fall into the basic categories of On-Site and Off-Site and are regulated under various sign types and zoning restrictions. This section will provide guidance for determining the size, scope, uses and number of signs allowed. Be aware that the general sign rules outlined in Section 1004.1 will apply where no specific rule is shown in this section and specific rules in this section will override general sign rules. Also be aware that specific sign types listed in this section may also be listed and regulated in other sections of this ordinance, and the most restrictive requirement shall apply.

1004.2.1 Directional (On & Off-Site) – Directional signs may contain a business name or logo comprising no more than twenty (20) percent of the total sign area, but no advertising copy. Directional signs may not exceed six (6) square feet in area and forty-six (46) inches in height. Such signs may be freestanding. If more than two (2) such signs are proposed they must be approved by the Planning Commission. No directional sign may be located so as to block or impede a sidewalk or visibility of pedestrians, general traffic, street-side parking, or traffic in the sight visibility triangle as outlined in Zoning Ordinance 02-02, Article 7.08.1 so as not to present a public hazard.

1004.2.1.1. – On-site directional signs cannot be used for off-site commercial advertising or advertising for hire. No more than two (2) signs per public road entrance and the signs shall be legible from the adjacent public road. Businesses that are required to share an access are allowed to have one (1) directional sign along the access road. For individual uses, one (1) directional sign is permitted for each one-way driveway.

1004.2.1.2. – Off-site directional signs are limited to the following uses: churches, schools, hospitals, parks, libraries, scenic areas, historic areas or other areas of visitor interest. No more than one (1) sign is allowed at any street intersection.

1004.2.1.3. – Off-site temporary directional signs (e.g., Event Specific, Garage/Yard Sale, Portable/Trailer/Mobile, Special/Seasonal/Public Event, Sandwich-board/Sidewalk sign) are all regulated under Temporary Signs, but this specific sub-type is covered in this section since it is utilized for the specific purpose of providing directions to a specific site or event over a specific period of time. A sign of this type would normally have a directional arrow, event name, or other directions to indicate the direction to the location. Some of these sign types are Unregulated (i.e., Garage/Yard Sale or Special/Seasonal/Public Interest Event) and are only brought to the attention of the city through a complaint. Off-site Temporary Directional Signs shall be allowed in all zones subject to the restrictions and requirements in Section 1004.2.1 above and the following additional restrictions;

1. Signs must be for directing traffic to a temporary, special community event;

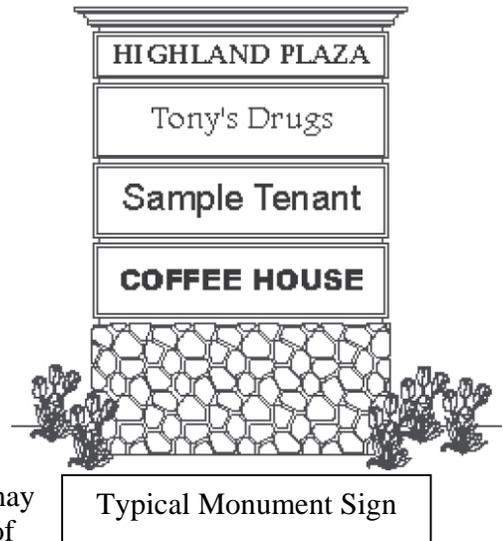
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2. A maximum of four (4) signs are allowed per event;
3. Only one (1) sign may be placed at a street intersection;
4. No sign may be erected in the right of way without obtaining a special use permit;
5. Such signs shall not be erected more than ten (10) calendar days prior to the date of the advertised event and shall be removed within forty-eight (48) hours of the end of the advertised event;
6. No sign shall be located more than one (1) mile from the location of the advertised event.

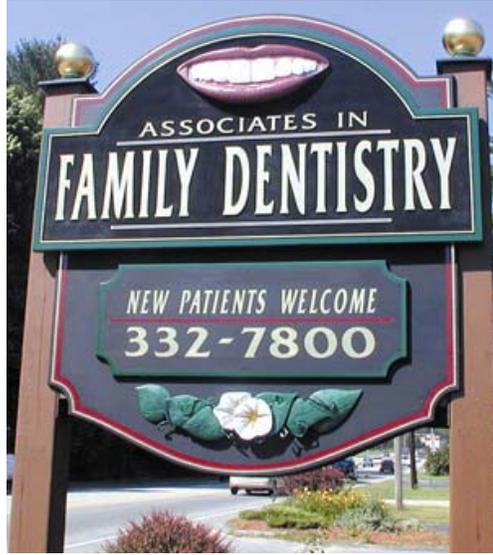
1004.2.2. Exterior and Interior – The total area of all sign types on the exterior surface (including windows) of a building shall not exceed twenty-five percent (25%) of the front surface of the first floor of the building, so long as the figure does not exceed the total aggregate amount of sign area permitted within the zoning district where the sign or signs are to be located or as specified elsewhere in this ordinance. Signs within five (5) feet of a window surface are considered to be exterior signs and will be included in the total area calculation. Signs greater than five (5) feet from a window surface are not regulated and are addressed in Section 1004.5.7.

1004.2.3 Ground, Freestanding, and Monument Signs – These signs shall extend no more than eight (8) feet above the ground, and their bottom edge is either directly attached to the ground or no

more than three (3) feet above the ground level and may be mounted on a solid base that extends a minimum of one (1) foot above ground and at least seventy-five (75) percent of the length and width of the sign. . Sign area shall not exceed twenty-four (24) square feet, including the trim, with a base structure area not exceeding three-quarters (3/4) of the sign area. Freestanding signs should be supported by two wood, metal, or granite posts that generally, are square in cross section. Alternatively, like the Governor’s Inn sign, below, the sign may be hung from a bar cantilevered off one post. Use of round steel poles is not appropriate. Large pylon type signs are not appropriate.



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1004.2.4 Multifaced, Double Faced & V-Type – Multifaced signs can be free standing or overhanging as in a marquee, awning or canopy with attached or projecting signs. A maximum of one (1) Multifaced sign is allowed for each building frontage on a public way, and must conform to the requirements of Sections 1004.1.10 (Area). Such signs shall be located at a safe setback from vehicular traffic. These signs must be permanently and safely attached to the frontage of the building or to the ground if freestanding, and have a ground clearance of at least eight (8) feet over a sidewalk when not attached to the ground. The allowed area of a multifaced sign is specified by the application.

1004.2.5 Pole, Pylon, Post & Panel, or Column – These are normally considered to be freestanding signs and are regulated under Section 1004.2.4. These signs may not be classified as an outdoor advertising (billboard) sign. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered a pole or banner sign.

1004.2.6 Wall or Fascia – This type of sign is normally painted or mounted on a exterior frontage wall (i.e., Mural, Projecting Sign, Exterior Sign, etc.) of a building and is intended to be the primary identification sign for most uses. A maximum of two (2) wall signs per building are allowed and the allowed aggregate area of a wall signs is not to exceed a combined eighty (80) square feet and individually as limited by Section 1004.1.10.9. There are several options for placement of these signs including the lintel space between floors, the space above the transom in the storefront, or over a display window when properly balanced with the façade. A wall sign cannot protrude more than six (6) inches from the façade. If the building façade or storefront has a lintel strip or signboard, the wall sign should be centered directly on it. The provisions herein do not apply to wall signs fifty (50) years old or older that are historical landmarks of the city's past and are attached to a building that is maintained and preserved as an architectural landmark.

1004.2 Miscellaneous Business Signs – Draft Rev. 1A

1004.2.7 Wall Murals and Graphic Designs – Murals, large graphic designs and statuary shall be allowed in any commercial or industrial zoning district, including the Design Control Combining Zone, subject to review and approval by the Planning Commission for the sole purpose of insuring that construction of such displays will not pose a hazard to public health, safety or welfare. A mural without text, visible from a public right-of-way, may be approved in addition to (not counted as part of) the sign area allowed by Section 1004.1.10; a mural with text shall comply with the sign area limitations applicable to the site. The approval of a mural shall require that the review authority first find that the size, colors, and placement of the mural are visually compatible with the structure architecture, and that the mural will serve to enhance the aesthetics of the City. All applications for an exterior mural or graphic design must include a defined maintenance schedule for a specified period not to exceed five (5) years. These applications must be resubmitted for renewal at the end of the defined maintenance period or the mural or design must be removed at the owner's expense in compliance with Section 1004.1.3.

1004.2.8 Window and Door – The total area of window and door signs is aggregated under exterior and interior signs, but no single sign may exceed twenty-four (24) square feet. Window Signs are further subjected to the following limitations:

- 1. The aggregate area of all such signs** shall not exceed twenty five (25) percent of the window area on which such signs are displayed. Window panels separated by muntins or mullions shall be considered as one continuous window area. Miscellaneous signs (addresses, closed/open signs, hours of operation, Accessory/Affiliation Signs, real estate signs, now hiring signs, and storefront displays of merchandise sold) will not be counted in the aggregate signage limit and are exempt from permit requirements, but may be subject to size restrictions in other sections of this ordinance.
- 2. The sign area permitted for Window Signs** shall not be assessed against other sign types.
- 3. The number of Second Floor Window Signs** may not exceed 50% of the upstairs windows per exposed side of the building. (i.e., A building with six (6) windows on a side may have three (3) of those windows with a sign for three (3) separate occupants.) The signs will only contain letters no more than six (6) inches high, no logos or art work, as the signs are to serve as identification only. The sign color, size, and style will be consistent for each building and must be located similarly in each window (i.e., all in the upper sash). No sign shall occupy more than 10% of an individual window area. (i.e., A 3' x 4' window may have a sign occupying up to 1.2 square feet.)

Meeting Date:	October 17, 2012	Agenda Item Number	6.5
Agenda Item Title:	Planning Commission Vacancies		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Direct City Clerk to Advertise Planning Commission Vacancies		

RECOMMENDATION: Direct City Clerk to Advertise Planning Commission Vacancies

BACKGROUND:

There will be at least two vacancies on the Planning Commission. In order to continue the business of the City and the Planning Commission, it is important to maintain a full complement of commissioners.

Per the Planning Commission Ordinance 05-05, the Planning Commission will interview applicants for the position of Planning Commissioner and make recommendations to the City Council:

§5.04 Appointments

5.04.1 A new commissioner shall be appointed to fill a vacancy within ninety (90) days from the next regularly scheduled City Council meeting. The City Clerk shall advertise the vacancy (via notice in newspaper, public posting) and notify Ferndale residents to contact the City Clerk for an application, which can be picked up at City Hall or mailed to the applicant.

5.04.2 Applications must be received by the City Clerk by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the remaining members of the Planning Commission the next business day after the closing date of the announcement. The Planning Commission will interview applicants at their next regular or special meeting. A priority ranking of the Commission's recommendations as well as reasons supporting the ranking will be forwarded the following business day to the City Council via the City Clerk.

5.04.3 The City Clerk shall include the recommendation list and reasons to support the ranking of candidates as an action agenda item for the next regular City Council meeting. The Council may interview the applicants, or rely on the Planning Commission recommendations. A member of the Commission will be present to summarize the qualifications and merits that support their ranking, and to answer questions posed by the City Council. The Council will vote, in open session, for the new Commissioner in the order of ranking by the Commission. The first person that receives a majority will be selected to fill the vacancy. If a majority is not obtained, or if there are no applicants, the vacancy will be re-advertised and the ninety- (90) day clock resets.

§5.05 Vacancies - Vacancies shall be filled by appointment for the remaining portion of the term, or for four (4) years, starting March 1st, for expired terms.

Meeting Date:	October 17, 2012	Agenda Item Number	6.6
Agenda Item Title:	Design Review Committee Vacancies		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Direct City Clerk to Advertise Design Review Committee Vacancies		

RECOMMENDATION: Direct City Clerk to Advertise the Design Review Committee Vacancy

BACKGROUND:

A vacancy was created when Michael Sweeney was sworn into the City Council during the October 4, 2012 meeting. Mr. Sweeney represented the public on the committee, and that is who we will advertise for.

Per the Zoning Ordinance 02-02:

- 6.05.4 Design Review Use Permits for structural or building alterations, remodeling or improvements so as to change the outward appearance of the structure or building, including changes in exterior paint color, shall be subject to the following procedures:
- a. The Planning Commission shall appoint two of its members as Design Review Committee Members.
 - b. The Planning Commission shall interview and recommend to the City Council appointment of three members from the 95536 zip code, preferably with design background in planning, architecture, landscape architecture, historical restoration, or other similar experience related to the design of physical improvements and buildings in the following manner:
 - i. The City Clerk shall advertise the vacancy(ies) (via notice in newspaper, public posting) and notify Ferndale residents to contact the City Clerk for an application, which can be picked up at City Hall or mailed to the applicant.
 - ii. Applications must be received by the City Clerk by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the members of the Planning Commission by the next regular or special meeting. The Planning Commission will interview applicants and make appointments at their next regular or special meeting.
 - iii. A priority ranking of the Commission's recommendations as well as reasons supporting the ranking will be forwarded to the City Council for their next regular or special meeting.
 - iv. The first person(s) that receives a majority will be selected to fill the vacancy. If a majority is not obtained, or if there are no applicants, the vacancy will be re-advertised and the clock resets.
 - c. The Design Review Committee is a sub-committee of, and reports to the Planning Commission.

Meeting Date:	October 17, 2012	Agenda Item Number	6.7
Agenda Item Title:	Change meeting date for November meeting		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Confirm November 15 PC meeting date		

RECOMMENDATION: Confirm November 15 Planning Commission meeting date.

BACKGROUND:

During the August 29th meeting, the Commission chose November 15 as the alternate date for the Planning Commission meeting. The meeting will begin at 6:30 with a study session.

Section 7: CORRESPONDENCE

Correspondence Files are available for review at City Hall during regular business hours, Monday through Thursday, 9am to 4pm.



Suzannah E. Mellon ©1992

For Your Information

October 10, 2012

Update on New Sign Ordinance

In an effort to be sure that the new sign ordinance reflects the feelings of the business community, the Planning Commission (PC) and Design Review Committee (DRC) created the Sign Ordinance Committee (SOC) to update the Sign Ordinance.

The Design Review committee (DRC) reviews and permits changes to the exterior of buildings (including signs) in the Design Control Combining Zone in order to preserve the historical and aesthetic integrity of the Zone. The Design Control Combining Zone overlays the Main Street Historic District. The consensus of these groups is that the current sign section is in need of an update to address current business trends and compliance issues.

The Sign Ordinance Committee (SOC) has been meeting once a month since September, 2011 to discuss the myriad facets of signs. In an additional public outreach effort, we feel it is essential to give you an opportunity to express your opinions and concerns early on in the process. This is important because everyone will be required to be in compliance with the new ordinance. Your awareness and input may be pivotal to the final product. Interested building owners, business owners, and community members are invited to attend any of the SOC meetings which are held monthly at City Hall on the 3rd Thursday of each month at 2:30 pm. If you are unable to attend committee meetings, you can submit ideas, issues or concerns related to signage to the City Clerk or City Manager. Please include your telephone number and email address.

The SOC feels it is important to give clear guidance to current and prospective property owners, staff, Planning Commission, and the Design Review Committee with respect to signage. We believe the SOC is representative of the people directly affected by signs in our community: Chamber President Karen Pingitore, Businessman Phil Ostler, Planning Commissioner Trevor Harper and Design Review Committee members Michael Bailey and Michael Sweeney.

They've made great progress in developing a background, purpose and scope statement, reviewing definitions, and are currently working on general regulations. Their upcoming tasks include other sign regulations, use permits, administration, legal review, final review and submission of the final draft to the Planning Commission. From there, the ordinance will be presented to the City Council for adoption. Public Hearings will be held on the draft Sign Ordinance at the Planning Commission and City Council levels prior to adoption of the ordinance by the City Council.

In conclusion, signs are a good thing: they serve a purpose to inform the public what's available inside the building, goods and services offered, public announcements, etc. We believe that it is important for the overall aesthetic harmony of our business district to reflect current business needs as well as the continuation of our unique Ferndale heritage.

Sincerely, Jay Parrish, City Manager

Section 8: REPORTS

CITY PLANNER:

Meetings, Planning & Coordination

- Coordinated with City Manager, City Clerk, and Deputy City Clerk on planning and development projects.
- Prepared cost estimates for CEQA environmental review documents at request of City Clerk.
- Responded to property owner questions regarding converting an existing structure on the property into a dwelling space. Coordinated with City Clerk to advise resident on options.
- Prepared staff report regarding request for a revocable easement for a fence in a public right of way and drafted sample easement; presented at August 29 Planning Commission meeting. Presented follow-up report at September 19 Planning Commission meeting regarding applicant's revocation of request.
- Coordinated with City Clerk on process for notifying resident of Design Review Combining Zone violation for removal of a contributing feature from a listed building in the Historic District.
- Continued coordination on alleviating issues stemming from Russ Park access across private land.
- Responded to questions regarding unsafe building requirements in response to demolition permit application.
- Wrote and mailed application incomplete letter to applicant for siding repair at 535 Main St.
- Coordinated with City Clerk and City Manager to draft email to Ferndale resident outlining City requirements for a Design Review Use Permit application for stucco removal in the Historic District.

Projects

- General Plan Update—Prepared Draft General Plan Safety Element Settings & Context and Geologic & Seismic Hazards chapters and presented at 8/29 Planning Commission meeting. Arranged study session presentation by Troy Nicolini, Warning Coordination Meteorologist for the National Weather Service in Eureka, tsunami program manager for northwestern California, and co-chair of the Redwood Coast Tsunami Work Group. Rescheduled presentation for January 16 study session. Prepared Draft Flooding & Drainage Hazards chapter and presented at 9/19 Planning Commission meeting. Arranged study session with presentation by Sherry Constancio of the Department of Water Resources Division of Flood Management and Reginald Kennedy of the National Weather Service.
- Design Review Use Permit Application Process—Made additional changes to application process as directed by Design Review Committee at 7/26 Committee meeting. Prepared staff report and final draft of application process for 8/23 meeting. Meeting was cancelled due to lack of quorum; revised all materials for 9/27 meeting.

CITY CLERK ACTIVITY

Meetings

- Daily meetings with Office Manager and/or City Manager regarding work schedule.
- City Council meeting 9/6/12.
- Drainage Committee Meeting 9/13/12.

Projects

- Counter and phones.
- Pick up mail, copy, distribute and file.
- Continue to work with InLight Fitness regarding MOU with the city for the use of the Community Center for a reasonable fee of \$5.00 per hour.
- Prepared Drainage Committee Agenda for September 13th.
- ERMA Training online. Slowly catching up on missed training while on Family Leave last year.
- Filed August report of Building or Zoning Permits issued for new privately-owned housing units.
- Organize quotes for work at City Hall.
- City Council Meeting Follow-up
 - Printed, signed, posted online and filed 8/23/12 and 8/2/12 minutes
 - Filed Resolution 2012-25 Approving the submittal of a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation. Copy for City Engineers.
 - Filed Ordinance 2012-03 “An Ordinance amending Purchasing Ordinance 07-04 Section 6.01 Pertaining to Bidding Procedure;” Posted public notice on Ordinance, Revised Purchasing Ordinance 07-04 with amendment, and re-posted online.
- Prepared City Council packet for October 4, 2012 meeting
- Election Duties: approved Ballot artwork. Issued paperwork for Write In Candidate.
- Prepared Design Review meeting packet for 9/20 and for 9/27
- Prepared Sign Committee meeting packet for 9/20
- Prepared Planning Commission packet for 9/19
- Organizing Design Review applications on Administrative Assistant’s desk.
- Follow-up on Francis Creek Cleanup letters.
- Entered 4-H meetings on Community Center and City Hall Calendars.
- Worked with Vikki Young of the Ferndale Rep Theatre to set up rehearsal dates at the Community Center and City Hall for use from September 21 through November 19th.
- Training with Finance Manager on Payroll and Accounts Payable
- Work with City Manager and Public Works on creek walk results.

Land Use, Building and Encroachment Permits Issued

Building Permits		
161 Francis		Replace post and pier foundation
1182 Rose		Reroof Garage and addition
515 Fifth Street		reroof
1182 Rose		Bldg Inspection – Consultation

Land Use Permits		
1085	Main	Paint House
820	Herbert	Reroof
580	Main	Sign
161	Francis	paint
375A	Main	Workshop

Section 9: Design Review

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 9/20/12 8:30am meeting

Chair Dan Brown opened the meeting at 8:30 a.m. Committee Members Dane Cowan and Lino Mogni were present along with staff City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum. Michael Bailey and Michael Sweeney were absent.

580 Main Street #2; Sign for music store window. MOTION: (Cowan/Mogni) Approve the sign as presented. All in favor.

375A Main Street: 20 x 30' woodwork shop. The committee members advised the applicant that they need a written description, paint chips, roofing material and a siding sample before they can approve the project. This is tabled to the next meeting.

161 Francis Street paint colors: MOTION: (Cowan/Mogni) Approve the paint colors for the house. If applicant chooses to install shutters, he will have to return to the committee with that Design Review request. All in favor.

Under Committee Member Comments staff was directed to present the committee with written project descriptions, a location map with North arrow, paint chips and materials, as well as a visible street address. Dan Brown advised that he would continue as chair until next month. He has work schedule conflicts.

The meeting adjourned at 9:07am. The next regular meeting will be September 27, 2012.

Respectfully submitted,
Nancy Kaytis-Slocum
City Clerk

Section 10: Sign Committee

No quorum in August or September.

Section 11: Adjourn